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Titles of the Regulations Passed in the Year 1821

Sub.- Law and Legislation/ Bengal Regulations

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TITLES

OF THE

REGULATIONS

PASSED IN THE YEAR 1821.

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REGULATION I.

A REGULATION *for the appointment of a special Commission in the ceded and conquered Provinces, for the investigation and decision of certain claims to recover possession of Land illegally or wrongfully disposed of by public sale, or lost through private transfers effected by undue influence; and for the correction of the errors, or omissions of the proceedings adopted by the Revenue Officers in regard to the record and recognition of proprietary rights, and the ascertainment of the tenures, interests and privileges of the agricultural community:...Passed on the 13th of January* 1821.

REGULATION II.

A REGULATION *for increasing the powers of Moonsiffs for extending in special cases the powers of Sudder Ameens in the trial and decision of Civil Suits, and for authorizing the Zillah and City Registers, and Sudder Ameens, to discharge certain additional duties under the direction of the Zillah and City Judges, for providing for an increase in the number of Moonsiffs when necessary,*

necessary, and for authorizing Sudder Ameens to hold their Cutcherries at any place where there may be a Register holding his Court at a distance from the fixed station of the Judge and Magistrate; also for amending the rules at present in force for the institution of suits connected with the local Jurisdiction of such Registers, for rescinding such parts of the existing Regulations as authorize the Registers of Civil Courts to receive a proportion of the institution fees on suits which may be referred to them for decision; for altering in certain cases the rule at present in force for the execution of Decrees of the Provincial Courts in original suits, and of the Decrees of the Court of Sudder Dewanny Adawlut on Appeals from such Decrees, and for abolishing the Office of Register of the Provincial Courts of Appeal and Circuit:— Passed on the 19*th of January* 1821.

REGULATION III.

A REGULATION *for extending in special cases the powers of Assistants to the Magistrates; for empowering the Hindoo and Mahomedan Law Officers of the Zillah and City Courts and Sudder Ameens to try and determine petty Thefts, and other Criminal cases of a trivial nature, when referred to them by a Magistrate; for limiting the period of Appeal in Foujdary cases; for rescinding parts of Section XII. and Section XVII. Regulation XXII.* 1816; *for modifying some of the rules in force relative to the rate and collection of the Assessment levied for the maintenance of Chowkeedars of Police; and for vesting the Magistrates with certain powers in regard to persons travelling through, or assembling within their jurisdictions, under suspicious circumstances:...Passed on the* 19*th of January* 1821.

REGULATION IV.

A REGULATION *for authorizing a Collector of Land Revenue*

or

or other Officer employed in the management or superintendence of any branch of the Territorial Revenues, to exercise, in certain cases, the powers of Magistrate, or joint Magistrate, and for authorizing a Magistrate, or joint Magistrate, or Assistant to a Magistrate, to exercise in certain cases the powers of a Collector of Land Revenue, or of any other Officer employed in the management or superintendence of any branch of the Territorial Revenues; also, for explaining the duties of an Assistant to a Collector of Revenue, and for defining the duties and powers vested in Assistant Collectors or other Officers appointed to the charge of the Revenues of Pergunnahs or other local divisions, or employed in the performance of any portion of the functions ordinarily belonging to Collectors of Land Revenue:—Passed on the 19th January 1821.

REGULATION V.

A REGULATION *for settling the rates at which Benares and Furruckabad Rupees shall be received in payment of the Revenue of Malgoozars, whose engagements are expressed in Gohurshahee or Tirsoolee Rupees:—Passed on the 23d November* 1821.

BENGAL SECRETARIAT LIBRARY

A. D. 1821. REGULATION I.

A REGULATION *for the appointment of a special Commission in the Ceded and Conquered Provinces, for the investigation and decision of certain claims to recover possession of Land illegally or wrongfully disposed of by public Sale, or lost through private transfers effected by undue influence; and for the correction of the errors, or omissions of the Proceedings adopted by the Revenue Officers in regard to the record and recognition of proprietary rights, and the ascertainment of the tenures, interests and privileges of the agricultural community:—Passed by the Governor General in Council on the* 13*th of January* 1821, *corresponding with the* 2*d Maug* 1227 *Bengal era; the* 25*th Poose* 1228 *Fussily; the* 3*d Maug* 1228 *Willaity; the* 10*th Poose* 1877 *Sumbut; and the* 8*th Rubbi-us-Sanee* 1236 *Higeree.*

Preamble.

IT has appeared that in the first seven or eight years after the acquisition of the Ceded Provinces by the British Government,

ment, the Native Officers of Government, their relations, connections, and dependents, taking advantage of the novelty of the British rule, of the weakness and ignorance of the people, and (in some cases) of the culpable supineness and misconduct of the European functionaries under whose authority they were employed, contrived by fraudulent and iniquitous practices to acquire very extensive estates in several of the Provinces in question, more especially in the districts of Allahabad, Cawnpore, and Goruckpore—thus wrongfully depriving of their just rights a great number of the ancient land owners, and reducing them and their numerous dependents to ruin and misery. These abuses have been chiefly practised through the perversion to the purposes of chicanery and fraud, of the rules enacted for the collection of the Government Revenue, more especially the provisions relating to the public sale of land for arrears. Under cover of these rules, but contrary to the true intent and meaning of the law by which (though a considerable discretion was left to the revenue authorities) the measure of a public sale was principally designed for cases of embezzlement, contumacy, or fraud, many estates were sold from which no balance (or a very trifling balance) was due, or on which the arrear accrued without any embezzlement, or wilful default on the part of the sudder malgoozar, and others were disposed of without an observance of the prescribed forms. In several instances too a recourse was had to the measure of a public sale without any proper ascertainment of the liability of the proprietors, or the fact of their being under direct engagements to Government. Thus some estates would appear to have been brought to sale for arrears, although the parties responsible to Government for the revenue, held only a very limited interest in the mehal sold, or were persons possessing no fixed right of property therein, who had been recorded as proprietors and admitted to engagements on the faith of fraudulent and abusive

statements;

statements; and some appear to have been sold of which the tehsildars had themselves retained the immediate management, the ostensible malgoozars being creatures of their own, or names purely fictitious being entered on the records. Under such circumstances sales were often effected through the misrepresentations of the tehsildars, made in collusion with the recorded malgoozars, for the purpose of acquiring for one or other of the parties an ostensible title to the property by purchase at public sale. In like manner there is reason to believe that persons erroneously recorded as the sole proprietors of mehals, in which they possessed either no fixed property or a very limited interest, have in several instances been induced fraudulently to execute deeds of sale in favor of public officers of Government, their relations or dependants, purporting to convey the exclusive property of the lands comprized in the mehal for which they were under engagements, and that on the faith of such deeds the purchasers have been recorded as the sole proprietors thereof. In almost all these cases, the purchasers whether by public or private sale, taking an illicit advantage of the ignorance of the village occupants, and of their unacquaintance with the regulations, and the forms of judicial practice, have effected an extensive usurpation of private rights and the consequent annihilation of institutions by which the village communities have immemorially been regulated. There is reason to believe, that the same evils have very generally occurred in all cases of sale for the recovery of arrears, even where the transfers of the estate held by the alleged defaulter was legal and valid: the purchasers having usually claimed to possess the whole of the lands comprized in the mehal sold, without being subject to any of the restrictions and conditions arising out of private rights, which attached to the estate of the defaulter, and having frequently succeeded

in

in establishing such claims to an extent not warranted by law. Thus in almost every mehal sold in liquidation of arrears of revenue, many village zemindars, putteedars and other proprietors, though in no degree parties to the engagement of the defaulting malgoozar, and holding under tenures of such a nature as not to be affected by the sale of the estate possessed by such defaulter, further than that by such sale, the obligations of the under tenants towards the defaulter are transferred to the purchaser, have been deprived of their just rights, and either ousted from the lands, or reduced to the condition of tenants at will. There is further reason to believe, that, independently of cases of abusive alienation, the village maliks and others have in many cases sustained serious injury, through the insufficiency of the enquiries instituted by the revenue officers, in regard to the tenures under which land and the rights connected with land are held, and from the errors and defects of the public records relating to such matters: that in consequence of such errors and defects many persons justly entitled to engage in chief for the revenue of the lands occupied by them, have been excluded from engagements in favor of persons erroneously recorded as proprietors, and that the real nature and extent of the interests actually possessed by different individuals and classes being ill ascertained and defined, great facilities have been afforded to chicanery and fraud: which have led and are likely still further to lead to consequences greatly injurious to individuals, and seriously affecting the peace and good order of the Country. The persons who have suffered by the aforesaid abuses are for the most part poor and ignorant men; unaccustomed, under the former government, to any regular system of law, little acquainted with the principles of the British code, or the regular forms of British judicial proceedings, incapable of availing themselves of the protection it was designed to afford, and possessing not the

means

means of securing the aid of individuals better informed; while those opposed to them are for the most part men of wealth and power, who acquired their possessions through the influence of official station, and by an abusive exercise of the authority vested in them as officers of government, who are well acquainted with all the forms of law as administered in our Courts, and who possess ample means of securing the retainers of the adawlut in their service. These indeed are themselves generally supposed to be much interested in maintaining the sales in question, and in supporting all the claims of the purchasers and the sudder malgoozars. Moreover in all suits brought to annul sales made for the recovery of arrears of revenue, the Collector on the part of Government must, under the existing code, be made one of the defendants in the case along with the purchaser, and various other forms must be observed, which are likely to defeat the just claims of the ousted proprietors. The prosecution too in ordinary course of regular suits in the Adawlut necessarily involves considerable delay and expence; requiring, besides a long attendance at the Court, the payment of various fees, the employment of vakeels and other expences, which would alone operate greatly to prevent the complainants in question from seeking redress in that manner, even if the cases were such as to admit of easy decision by the regular tribunals. But the investigation of the abusive alienations and usurpations in question will apparently require a thorough research into voluminous and complicated revenue accounts, minute local enquiries, and a free and constant communication with the parties concerned, and with the local officers: and an active enquiry into all the circumstances of the transactions, without reference to the mere points stated by the plaintiffs; such as the constitution of the established Courts would not admit of their pursuing. Besides the existing Regulations do not vest the Civil Courts

with

with so extensive a discretion in the adjustment of doubtful claims, and in the relief of parties suffering hardships as the cases in question appear to demand. Further, the Regulations applicable to the Provinces in question, having been necessarily founded on incomplete information, are in many respects defective, so that several points requiring a distinct declaration of the views and intentions of the legislature, relative to the privileges designed to be vested by a settlement in the sudder malgoozar, or conveyed to the purchaser by a public sale, as well as in regard to the extent of the authority vested in the revenue officers in deciding on the mode in which the public revenue is to be managed or collected, still remain to be settled, and cannot yet be settled by a general legislative enactment, without risk of error. The proceedings of the established Courts must necessarily partake of any defects belonging to the law, which it is their duty to administer, and it would be obviously inconsistent with every sound principle to grant a general discretion to those Courts to deviate from the law on individual views of expediency or justice. The established Courts consequently are not so constituted as to provide an adequate remedy for the evils above specified, which can be completely corrected only by a tribunal exercising a larger discretion, and acting in more immediate communication with the Government than could with propriety be allowed in the case of the Courts established for the general administration of Civil Justice. Even too if these Courts were so constituted as adequately to provide for the trial and decision of the cases in question, yet the duty could not be completed by them for a long period of time, without an entire interruption of their ordinary functions; while the parties injured are equally incapable of supporting the expence of a protracted litigation in the Adawlut, and of defending themselves in that course of proceeding against the arts and intrigues of their powerful adversaries.

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In consideration of the above circumstances, it has appeared to the Governor General in Council to be essentially necessary to the ends of justice, that a special commission with large discretionary powers, and with full authority to regulate its proceedings according to the exigencies of the cases brought before it, should be constituted for the purpose of investigating the cases above described, of restoring to their just rights, the zemindars and other proprietors, who have been wrongfully dispossessed, of defining and fixing the real nature and extent of the interests and title conveyed to the purchasers, in cases in which sales may be upheld, of restoring proprietors whose estates may, in consequence of the errors in the administration above noticed, have been transferred to another on account of a trifling balance, or for a trifling consideration, making due compensation to the present possessors, of granting redress to persons, who may have lost the possession or management of their estates without just cause, under the operation of a public sale, or through any act of a revenue officer, or who may have been wrongfully excluded from engagements with Government, and of making an equitable adjustment of doubtful claims; including the relinquishment upon due compensation of rights acquired or held under the strict operation of the law, by means inconsistent with equity and justice, or involving excessive hardship to the sufferers. The following Rules have accordingly been enacted, to be in force from the period of their promulgation.

A special Commission to be constituted for the purposes described in the Preamble to this Regulation.

II. A special commission consisting of one or more members as the Governor General in Council may determine, shall be constituted for the purposes described in the preamble to this Regulation, to be denominated the Mofussil Special Commission acting under the provisions of Regulation I. 1821.

Specification of the claims cognizable by the Commission.

III. *First.* The said commission shall receive, investigate and determine, all claims to recover possession of land, lying within such limits as the Governor General in Council may from time

time to time appoint, which may have been lost through public sales made in liquidation of arrears of revenue, or through private transfers, such sales and transfers having been effected by the undue influence of a public officer from the period of the cession or conquest (according as the lands may be situate within the ceded or within the conquered provinces) and the expiration of the Fusslee year 1217, corresponding with the 13th September, 1810.

In what cases sales of estates by Public Auction may be annulled.

Second. In cases of estates, disposed of by a public sale for arrears of revenue, if it shall appear to the Commission after due enquiry made in the manner hereinafter specified, that no part of the balance for which the sale may have been advertised or the interest payable thereon was due at the time of the mehal being, sold i. e. the lot being knocked down, or that the amount so due was inconsiderable, or that the amount due was not regularly demanded, or that the arrear did not originate in any fault or neglect of the defaulter, or that the defaulter had not sufficient opportunity of payment given to him before the sale, or that sufficient authority for the sale was not received from Government, or the Board, as the case may be, or that regular notice of the intended sale was not given to the proprietors and to the community, or that the sale was not made according to the Regulations at the time and place advertised, and with due publicity and full freedom, or that the purchaser was an officer on the collector's establishment, or in any way employed in the collection of the public revenue within the district, or in the private service of the collector, or the surety of such officer, or a relation dependant, or connection of such officer or surety, or that the estate was purchased in a fictitious name, or that the price paid was greatly inadequate, or generally that the sale was oppressive and produced by undue influence, or that an undue advantage was in any respect taken of the ignorance of the persons whose estate may have been sold, in all and each of these cases it shall and may be lawful for the aforesaid

said Commission to pass judgment, annulling the sale, and directing the restoration of the original proprietors, or such of them as may have lost possession under the operation of the sale, or of their representatives.

Third. It shall likewise be competent to the Commission to annul private transfers whether effected by sale, gift, renunciation or whatever mode of conveyance, in cases in which they shall see reasonable ground for believing that the purchase or acquisition was effected by violence, extortion or oppression, or by undue influence of any officer of Government in whatever department in the district within which the land transferred may be situated, or of the surety of such officer, or of any relation, connection or dependent of such officer or surety, or that any fraud was practised by the purchaser, or undue advantage taken by him of the ignorance or fears of the seller.

In what cases private transfers of estates may be annulled.

Fourth. It will further be competent to the Commission in cases of mortgage, trust, or other limited or conditional assignment, to restore the assigner to his lands on any of the grounds specified above, as reasons for annulling private transfers, or on proof that the period of the assignment has expired, or that it is otherwise justly redeemable, or that the original consideration for which it was made is greatly inadequate, compared with the advantage derived by the assignee.

In what cases of limited or conditional assignments of lands, the assigner may be restored to possession.

Fifth. The Commission aforesaid shall further be competent to receive, investigate and determine all claims for the recovery of lands belonging to a mehal, the interests of the sudder malgoozar of which may have been disposed of by public sale, or by private transfer, or assignment within the period specified in the first clause of this Section, or for the recovery of any interest in such lands, or the rent or produce thereof, and if it shall appear that the claimant was in possession of the property claimed

In what cases the special Commission may investigate and determine the rights and interests of which individuals may have been deprived in any mehal by the sale, transfer or assignment of the interests of the sudder malgoozar of such mehal.

claimed by him at the time of the said sale or transfer, and that the said sale or transfer was invalid, or that though valid it did not legally divest the claimant of the rights and interests possessed by him at the period aforesaid, and that he has not subsequently been divested of those rights and interests in a legal manner, that is to say, by some judicial award, or some voluntary act of the party involving the transfer, renunciation or relinquishment of his rights and interests, or that it would involve excessive hardship to the party, or be inconsistent with equity and justice to maintain the award or act by which he may have been divested of the rights and interests possessed by him as above; then and in that case it shall and may be lawful for the Commission to adjudge the claimant to be restored to the lands or other property claimed by him, or to any portion thereof to which he may appear to be entitled, and to define and declare the conditions on which he is to hold such lands, or property.

Special Commission further empowered to investigate claims for the recovery of land or rights connected with land, the possession of which may have been lost without just cause in consequence of the acts or proceedings of revenue officers.

Sixth. It shall likewise be competent to the Commission to receive, investigate and determine all claims for the recovery of lands, or rights connected with land, the possession of which may have been lost, without just cause, through or in immediate consequence of any act done or record prepared, filed, or authenticated by a revenue officer within the period above specified, and to restore the claimants to the possession of any lands or rights connected with lands which they may have lost in the manner aforesaid. It shall also be competent to the Commission to receive, investigate and determine all claims to be admitted to engage in chief with Government, which may be preferred by persons aggrieved by any act done, or proceeding held by a revenue officer within the aforesaid period, relative to the recognition of proprietary rights, and the admission of parties to engagements with Government; and if it shall appear that the decision of the revenue authorities in regard to the recognition of a proprietary title to any mehal or portion of a mehal, or the selection of the party admitted to

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engage was erroneous or improper, it shall be competent to the Commission to reverse or modify the orders passed by the Revenue authorities, and to restore to the management of the mehal any person or persons, who may appear best entitled to engage directly with Government.

Seventh. On adjudging the restoration of any person to the possession or management of the lands claimed by him, the Commission will invariably declare, as distinctly as possible, the nature and extent of the interests vested in such claimant, with a view to the restoration and future security of subordinate tenures; and in all cases in which the Commission may investigate and determine claims to land or rights connected with land under the rules contained in the preceding Sections, it shall and may be lawful for them to cause the names of all persons found in the bonâ fide possession of the land in dispute, or of land included in the same mehal with the lands in dispute, or enjoying the rents or produce thereof, under a title of hereditary property, to be entered on the public records, and to define and declare the extent of the interest, and the conditions of the tenures possessed by such proprietor, as far as the same may be duly ascertained, and similarly to declare the nature and extent of the tenures and interests of all persons occupying the land in dispute, or lands belonging to the same mehal.

In cases adjudged by the special Commission, the interests vested in the claimants to be distinctly defined.

As well as the interests of individuals in possession of the land in dispute, or of land included in the same mehal.

Eighth. The operation of the foregoing Clauses shall not be confined to cases in which lands or rights connected with land sold, transferred, alienated or usurped, as above, may be held by the person originally benefiting by the sale, transfer, alienation or usurpation, but shall equally extend to those in which the said lands or rights may be held under a title derived from such person: Provided of course that in cases in which it may appear that the person so holding under a derivative title was in no degree concerned in, or cognizant of the original wrong—

The operation of the foregoing clauses extended to persons holding under a title derived from the person originally benefiting by the sale or transfer.

Proviso.

the

the claims of such person to compensation for any loss he may sustain under the operation of the present Regulation, shall be held entitled to a very liberal consideration.

In what cases the Commission are to endeavour to effect a compromise between parties.

IV. *First.* In all cases whatsoever of the description specified in the preceding Section, in which it may appear to it to be clearly equitable to afford the claimant relief, though not entitled to a remedy under the existing law, or in which the points at issue may be doubtful, and the means of arriving at a satisfactory conclusion may not exist, it shall be competent to the Commission to interpose its authority, to induce the parties to compromise their contested claims, or such interposition failing, to make such award relative to the rights and interests of the parties, as equity and good conscience shall appear to them, upon full consideration of all circumstances, to warrant and require.

Compensation to be awarded by the Commission in what cases.

Second. In cases in which the Commission may deprive any person of rights legally vested in him, under the existing code, or may make award upon doubtful claims, or in which the title of any person though invalid may have been acquired by him bonâ fide under an express or implied assurance of its validity on the part of the Board, the Collector or Judge of the district, it shall be competent to the Commission to adjudge compensation in money from the treasury of Government: Provided however, that in cases in which the compensation assigned to any individual shall exceed the sum of Rupees one thousand, the sanction of Government shall be necessary to authorize the disbursement.

Proviso.

The jurisdiction of the Commission extended to cases already decided by the Courts of Justice, or depending before them.

V. *First.* The Commission shall be competent to take cognizance of cases of the nature above described, relating to lands within the districts or portions of districts to which its jurisdiction may extend, although the same may have been

been finally decided in the Courts of Judicature, and likewise to recal all such cases relating to such lands as may now be pending, or may hereafter be instituted in the said Courts, either on the application of the parties, or of its own motion; and the said Courts shall, on application of the Commission, transmit to it all the proceedings and papers relating to suits so removed.

Second. The jurisdiction of the Commission shall extend to such districts or portions of districts, and for such periods as the Governor General in Council may from time to time direct: notice of the orders of Government vesting the Commission with local jurisdiction, or withdrawing jurisdiction given, to be published by proclamation within the several Pergunnahs to which they may relate, and to be communicated through the Sudder Dewanny Adawlut to the Provincial and Zillah Courts concerned.

Local jurisdiction of the Commission to be from time to time fixed by the Governor General in Council, and notice of the same how to be given.

Third. Whenever any of the said Courts shall be apprized in the manner aforesaid of the appointment of the Commission to exercise the aforesaid powers within any zillah or other local division, they shall forthwith stay all proceedings in cases of the description above specified, and shall not proceed to the investigation or decision of any such case, until they shall either receive intimation from the Commission that it is not its intention to take cognizance of it, or until they shall be apprized by Government that the local jurisdiction of the Commission has ceased.

Courts of justice how to proceed in suits before them which may be cognizable by the Commission.

Fourth. When any suit may be removed by the Commission from the Court in which it may be pending, the price of the stampt paper used for the plaint or petition of appeal in lieu of the fee payable by the plaintiff or appellant, on the institution of the suit or appeal, shall be returned to the party by whom the amount

Commission and fees in such suits how to be disposed of.

amount may have been disbursed, and the Commission on deciding the suits shall determine the amount of remuneration to be assigned to the vakeels who may have been employed by the parties in conducting the suit, and any sums which may have been received by the treasurer of the Court on account of the vakeel's fees, shall be kept in deposit until the determination of the Commission shall be made known to the Court, which shall and may pay the amount awarded by the Commission to the vakeels, out of sums deposited by the parties employing them.

Form and nature of the proceedings before the Commission how to be regulated.

VI. *First.* The Commission shall determine, subject to the orders of Government, or of such other authority as the Governor General in Council may direct, its own form of proceeding, the nature of the pleadings, the mode in which they are to be conducted, the paper (stampt or unstampt) to be used, the fees to be levied, and generally the rules of practice to be followed.

Processes of the Commission how to be issued and enforced.

Second. All processes issued by the Commission shall be enforced in the same manner and under the same penalties for disobedience or resistance as processes of Zillah Courts; and all powers possessed by the Zillah Courts in regard to contempts, the summoning and examination of witnesses, and the administration of oaths, shall be vested in the Commission, from whose order in regard to such matters, no appeal shall lie, except to the Sudder Commission hereinafter mentioned.

Decisions of the Commission how to be executed.

Third. The Commission shall be competent either to execute its own decisions with the same powers and authority as are vested in the Zillah Courts, or to require the Zillah Courts to give effect to such decisions in like manner as they are required to execute the decrees passed by the Provincial Courts, or the Sudder Dewanny Adawlut.

Fourth.

Fourth. The several rules and provisions contained in the existing Regulations relative to the native officers belonging to the Zillah Courts, shall be applicable to the Native officers attached to the said Commission, except in cases in which the said Commission may with the sanction of the Sudder Commission hereinafter mentioned, or of the Governor General in Council, otherwise specially direct.

Native officers attached to the Commission subject to what rules.

Fifth. Any person giving a false deposition, whether upon oath or huluf namah, relative to any suit or matter depending before the Commission and upon a point material to the issue thereof, shall be held and considered guilty of perjury, and shall be liable to the penalties prescribed for that offence in the Regulations; and any person causing or procuring another person to commit the offence of perjury as above described, shall be held to be guilty of subornation of perjury, and punishable under the provisions of the aforesaid regulations.

Persons guilty of perjury or subornation of perjury to be punishable under the Regulations.

Sixth. The Commission shall be competent to commit persons guilty of the said offences for trial before the Court of Circuit, and any Magistrate receiving a roobukaree from the Commission, containing an order for the commitment of such offenders, shall proceed to give it effect, in like manner as if the commitment were made by himself.

And may be committed by order of the Commission for trial before the Courts of Circuit.

VII. It shall be the duty of the Courts and of the Collectors to afford the Commission every aid and information that it may require, to serve all processes issued by the Commission, which that authority may desire to have served by them, in like manner as if they were issued by themselves, to prepare and transmit to the Commission such lists of the cases decided by or pending before them as the Commission may see occasion to call for, and to furnish all papers and documents which the Commission may wish to examine.

Courts and Collectors to give their aid to the Commission.

If cases of doubt arise between the Courts and the Commission, the Sudder Dewanny Adawlut to decide, subject to the final orders of Government.

VIII. If any doubt shall arise in regard to the course of proceeding to be followed by the established Courts, relatively to any suit or other matter of the nature of those cognizable by the aforesaid Commission, or on any point connected therewith, it shall and may be lawful for the Sudder Dewanny Adawlut to determine the question, subject to the final orders of the Governor General in Council, to whom the Sudder Dewanny Adawlut shall report the circumstances of any cases of that nature that may arise.

Powers of the Commission over canoongoes and mofussil officers of account.

IX. The Commission shall and may exercise within the sphere of their jurisdiction, the same powers and authority over canoongoes, putwarries and other mofussil officers of account as the Collectors and Courts are now authorized to exercise.

Sudder Commission to be constituted.

X. *First.* A Commission to be denominated the Sudder or Chief Special Commission acting under the provisions of Regulation I. 1821, shall be constituted for the purpose of superintending the proceedings of the aforesaid Mofussil Commission, and for reviewing the decisions passed by it.

Powers and functions of Sudder Commission.

Second. The Sudder Commission shall consist of two or more such officers as the Governor General in Council may from time to time appoint, and shall besides the powers exclusively belonging to them, possess and exercise all the powers and authority vested in the Mofussil Commission. The Mofussil Commission shall be guided by the instructions and orders of the Sudder Commission in like manner as the Courts of Appeal and Zillah Courts are guided by the directions of the Sudder Dewanny Adawlut, and the said Sudder Commission shall further have the power of issuing special instructions to the Mofussil Commission in regard to the investigation of cases pending before the latter, whenever from the representation of the parties or otherwise

wise they may consider such a measure to be expedient or proper.

Third. All decisions passed by the Mofussil Commission shall be reported to the Sudder Commission, in such manner and form as the latter may direct, or as the Governor General in Council may prescribe, and it shall be competent to the Sudder Commission in considering the reports so furnished, to call for the proceedings held by the Mofussil Commission in any case, and to revise, modify, or annul any order or decision which the Mofussil Commission may have passed or made.

All decisions of Mofussil Commission to be reported to the Sudder Commission, and the latter empowered to revise, modify or annul such decisions.

Fourth. In cases in which either of the parties may be dissatisfied with the decision passed by the Mofussil Commission, and may desire to appeal to the Sudder Commission, the whole of the proceedings held by the former shall be certified to the latter, who will call for such further information and direct such further proceedings to be held, as they may judge necessary or proper. In such cases it shall rest with the Mofussil Commission to determine, subject to any orders which they may receive from the Sudder Commission, whether they shall carry their decision into immediate effect, or await the result of the reference to the superior tribunal.

Parties dissatisfied with decisions of Mofussil Commission may appeal to the Sudder Commission.

Fifth. In cases in which the members of the Mofussil Commission, when consisting of two or more members, may not agree in opinion as to the decision or award to be passed or made in any case, they shall certify to the Sudder Commission the whole of the proceedings held by them, each member at the same time separately recording his judgment and the grounds of it; and similarly when any difference of opinion shall occur in regard to the determination of any matter connected with or belonging to any case, pending before or decided by the said Commission, a reference shall be made to the Sudder Commission, and the Mofussil

In cases of a difference of opinion between the members of the Mofussil Commission, a reference to be made to the Sudder Commission.

Commission

Commission shall be guided by the directions which it may receive from the said Sudder Commission.

Cases of peculiar importance to be certified to the Sudder Commission.

Sixth. It shall likewise be the duty of the Mofussil Commission to certify to the Sudder Commission, any cases of peculiar importance and difficulty, in which it may be desirous of obtaining a decision by the superior tribunal. But in all such cases the Mofussil Commission shall in the first instance record their own opinion on the merits of the case, and distinctly declare the judgment which they may think ought to be passed.

Who will in such cases proceed in the same manner as in cases regularly brought before them in appeal.

Seventh. In cases certified to the Sudder Commission, under the provisions contained in the two preceding clauses, the Sudder Commission shall proceed in the same manner as in cases brought regularly in appeal before them, but no decision or award shall be passed or made in such cases by the Mofussil Commission, unless under instructions in that behalf from the Sudder Commission.

Provision for cases in which the Sudder Commission may not agree in opinion and the number of voices on each side may be equal.

Eighth. If in any case the members of the Sudder Commission shall not agree in opinion as to the decision, award or order to be passed or made, and the voices on each side shall be equal, the Commission shall suspend its decision and report the circumstance to Government, and it shall in such cases be competent to the Governor General in Council to appoint one or more temporary members of the Commission for the determination of the question in dispute. Where a majority of the Commission shall concur in one opinion, the decree, award or order shall be made according to the resolution of such majority, and shall have the same force and effect as if made by all the members conjointly.

In what cases the decision of the Mofussil Commission to be final.

XI. *First.* The decisions of the Mofussil Commission unless revised and altered by the Sudder Commission under the

rule

rule contained in the third clause of the preceding Section, or appealed to the Sudder Commission within the period of six months from the time of its being passed, or such further period as may be fixed by that authority, subject to the orders of the Governor General in Council, shall be final.

Second. In cases which if decided by the Sudder Dewanny Adawlut would be appealable to His Majesty the King in Council, a similar appeal will lie from the decisions or awards of the Sudder Commission, and the same rules and regulations as are or may be applicable to all appeals from the aforesaid Court, shall be applicable to all appeals from the decisions or awards of the said Commission: Provided however that all decisions passed, or awards made by the Sudder Commission shall be immediately executed and enforced, notwithstanding the institution of such an appeal. All decisions and awards passed by the Sudder Commission shall be final, unless regularly appealed to His Majesty in Council.

In what cases an appeal to be admitted from the decisions of the Sudder Commission to His Majesty in Council.

Proviso.

Third. The said Commissions, and each of them, shall, in all cases received or investigated by them respectively, be competent to determine all pleas or questions touching their jurisdiction, in the same manner and with the same powers, as they are or may be authorized to determine on the merits of cases of which the cognizance is expressly vested in them, any thing in the existing regulations to the contrary notwithstanding; and no exception shall be taken to any decision or award passed or made by the said Commissions, or either of them, on the ground that the case in or concerning which such decision or award may have been passed or made, was not regularly within the cognizance of the Commission by which it was passed, or made, or on any plea or pretext whatsoever saving and except by the Sudder Commission, in cases appealed or certified to it from the Mofussil Commission, or by his Majesty the

Questions connected with the jurisdiction of the Commissions how to be determined.

King

Courts of justice not to interrupt or stay the proceedings of the Commissions.

King in Council in cases appealable to that authority; nor shall any Court of Judicature interrupt or stay any proceeding of the said Commissions, or either of them, in any cases received, investigated or determined by them respectively.

The Commissions to be guided generally by the principles of the Regulations.

XII. *First* The Sudder and Mofussil Commissions shall, where not otherwise specially directed, be guided generally by the principles and spirit of the existing Regulations, or where those may not be applicable, by equity and good conscience.

Commissions may propose new regulations, or may submit rules for amending any part of the existing Code in matters connected with the duties entrusted to them.

Second. Provided also that it shall and may be lawful for the said Commissions and each of them, to propose Regulations regarding any matters coming within their cognizance, in the manner prescribed for the Courts of Judicature; and if any provision in the existing Regulations applicable to any case depending before the Mofussil or Sudder Commission, shall appear to them or either of them to be inequitable or improper, it shall be competent to the Commission before which the case may be depending, to stay its proceedings, for the purpose of submitting a draft of such rules as may appear necessary for the amendment of the existing Code: and to await the result of the reference, and finally to proceed in and determine the case according to the law as ultimately declared or enacted: making of course due compensation to any one whose rights under the existing law may be affected by their decision.

Oath to be taken by the members of the Commissions.

Third. Before entering on the performance of their functions, the members of the said Commissions shall bind themselves to the faithful discharge of the duties entrusted to them, by a solemn oath in such form, and to be taken before such person or persons as the Governor General in Council may direct.

ERRATUM IN CLAUSE SECOND, SECTION VII. REGULATION II. 1821.

After the word "Registers" in the fourth line of Clause Second, Section VII. Regulation II. 1821, add the words "*or Sudder Aumeens*," which have been accidentally omitted in the printed copies of the Regulation.

A. D. 1821. REGULATION II.

A REGULATION *for increasing the powers of Moonsiffs, for extending in special cases the powers of Sudder Ameens in the trial and decision of Civil Suits, and for authorizing the Zillah and City Registers, and Sudder Ameens to discharge certain additional duties under the direction of the Zillah and City Judges, for providing for an increase in the number of Moonsiffs when necessary, and for authorizing Sudder Ameens to hold their Cutcherries at any place where there may be a Register holding his Court at a distance from the fixed station of the Judge and Magistrate; also for amending the rules at present in force for the institution of suits connected with the local Jurisdiction of such Registers, for rescinding such parts of the existing Regulations as authorize the Registers of Civil Courts to receive a proportion of the institution fees on suits which may be referred to them for decision; for altering in certain cases the rule at present in force for the execution of Decrees of the Provincial Courts in original suits, and of the Decrees of the Court of Sudder Dewanny Adawlut*

lut on appeals from such Decrees, and for abolishing the Office of Register of the Provincial Courts of Appeal and Circuit.—Passed by the Governor General in Council on the 19*th of January* 1821 *; corresponding with the* 8*th Maug* 1227 *Bengal era; the* 1*st Maug* 1228 *Fussily; the* 9*th Maug* 1228 *Willaity; the* 1*st Maug* 1877 *Sumbut; and the* 14*th Rubbi-us-sanee* 1236 *Higeree.*

Preamble.

WHEREAS from the contracted powers exercised by the subordinate judicial officers, European and Native, under the existing regulations, a much larger proportion of business devolves on the Zillah and City Judges than can properly be discharged by them; and whereas the relieving them from part of that business by increasing the powers of the Registers, Sudder Ameens and Moonsiffs, will tend to expedite the general administration of Justice; and whereas it has become necessary to provide for an increase in the number of Moonsiffs, in consequence of the number prescribed by the Regulations of one to each Tannah Jurisdiction, having been found in some places insufficient; and whereas great inconvenience is experienced from the want of Sudder Ameens at those places where Registers are permanently fixed at a distance from the Sudder Station, as well as from the said Registers not being vested with powers to admit suits arising within the limits of their local jurisdictions; and whereas it is expedient with a view to afford still further relief to the Judges of the Zillah and City Courts held at the same place with the Provincial Courts, that the Provincial Courts should execute their own decrees in original suits, and the decrees of the Sudder Dewanny Adawlut in appeals from such original suits within the local limits of the jurisdiction of the aforesaid Judges; and whereas it is also expedient that the Judges of the Zillah and City Courts should be empowered to refer

refer summary suits to any amount for the recovery of arrears of rent, and for possession of land, crops, and other property in cases of forcible dispossession, to such of their registers as may be vested with any of the special powers specified in Regulation XXIV. 1814; and whereas it is also expedient to substitute a fixed allowance in lieu of the fees hitherto granted to the registers of Zillah and City Courts on the decision of civil suits, and to abolish the office of register to the Provincial Courts of Appeal and Circuit, the following rules have been enacted, to be in force from the date of their promulgation throughout the territories subject to the Presidency of Fort William.

The Provincial Courts empowered to increase the number of Moonsiffs on the recommendation of a City or Zillah Judge.

II. If the civil business within the limits of a tannah cannot conveniently be discharged by one Moonsiff, as prescribed by Section VI. Regulation XXIII. 1814, the Provincial Courts are hereby authorized, on the recommendation of the City or Zillah Judge, to augment, from time to time, the number of those officers as circumstances may require.

Moonsiffs empowered to try and decide on suits not exceeding one hundred and fifty rupees.

III. *First.* Persons invested with the powers of Moonsiffs are authorized to receive, try and determine all suits preferred to them against any native inhabitant of their respective jurisdictions, for money or other personal property, not exceeding in amount or value the sum of one hundred and fifty Sicca Rupees, provided the cause of action shall have arisen within the period of three years previously to the institution of the suit, and that the claim include the whole amount of the demand arising from such cause of action, and that the claim be really as prescribed in Clause first, Section XIII. Regulation XXIII. 1814, for money due, or for personal property, or for the value of such property, and be not for damages on account of alleged personal injuries, or for personal damages of whatever nature.

Proviso.

Second.

Prohibitions contained in Clauses second and third, Section XIII. Regulation XXIII. 1814, declared applicable to such suits.

Second. The prohibitions contained in the second and third Clauses of Section XIII. Regulation XXIII. 1814, are hereby declared applicable to the suits abovementioned.

The payment of stamp duties and compensations to Moonsiffs how to be regulated.

Third. In suits instituted before the Moonsiffs under the foregoing Clause, stamp duties shall be levied in conformity with the provisions contained in Section LXX. Regulation XXIII. 1814, and the compensation to which the Moonsiffs shall be entitled for their trouble in the trial of such suits, shall be adjusted in conformity to the rules contained in Section XLIX. of the same Regulation.

Rules in force regarding the decision of suits by Moonsiffs declared applicable to suits instituted under this Regulation.

Fourth. The provisions contained in the existing Regulations relative to the trial and decision of suits already cognizable by the Moonsiffs, are hereby declared to be equally applicable to suits which may be instituted before those officers, under this Regulation.

City and Zillah Judges to encourage the institution of regular, instead of summary suits, in certain cases.

IV. By Section XX. Regulation V. 1812, it is provided, that suits instituted under that Regulation for the recovery of arrears of rent may be decided by the Zillah and City Judges on summary enquiry; it was not however intended by that provision to preclude individuals from instituting a regular suit in the first instance for the more formal investigation of the merits of the case, either before the Moonsiffs or in the Zillah and City or Provincial Courts, according to the amount at issue, and the Zillah and City Judges are hereby enjoined to encourage, as much as possible, that mode of procedure, as well in the suits above adverted to, as in all other claims for arrears of rent, which may be cognizable by summary process under the existing rules, whenever it may in their opinion lead to a more prompt and satisfactory determination of the points at issue.

V.

V. *First.* It shall be competent to the Sudder Dewanny Adawlut to invest any person exercising the functions of a Sudder Ameen, with the power to try and determine original civil suits, in which the value or amount of the claim may not exceed five hundred Rupees.

Sudder Dewanny Adawlut empowered to invest Sudder Ameens with authority to try and decide on original suits not exceeding five hundred Rupees.

Second. In addition to the powers vested in the Sudder Ameens under the provisions of Section LXVIII. Regulation XXIII. 1814, and Clause Second, Section VII. Regulation XXIV. 1814, the Zillah and City Judges are authorized to refer to a Sudder Ameen, duly empowered under the preceding Clause, any depending civil suits, with the exceptions specified in Section LXVIII. Regulation XXIII. 1814, in which the value or amount of the claim, calculated according to the provisions of Section XIV. Regulation I. 1814, Section XXIII. Regulation XXVI. 1814, and Section V. Regulation XIX. 1817, may not exceed five hundred Rupees.

City & Zillah Judges authorized to refer depending civil suits to such Ameens, provided the computed amount of each claim does not exceed five hundred Rupees.

Exceptions.

Third. Suits referred to Sudder Ameens, in which the value or amount of the claim may exceed one hundred and fifty Sicca Rupees, shall be received, tried and determined in conformity with the provisions of Regulation XXIII. 1814. In suits however which may be referred to Sudder Ameens under the preceding Clause, in which the value or amount of the claim may be above one hundred and fifty Rupees, but may not exceed five hundred Rupees, the Sudder Ameens shall be entitled to receive one moiety only of the institution fee, or of the amount of the stamp duty substituted for such institution fee by Regulation I. 1814.

Sudder Ameens to be guided by the provisions contained in Regulation XXIII. 1814, in deciding on claims exceeding one hundred and fifty rupees.

But to receive only a moiety of the institution fee, or the amount of the stamp duty in cases where the claim exceeds one hundred and fifty rupees.

Fourth. The provisions of Clauses third, fourth, fifth and sixth, Section VIII. Regulation XXIV. 1814 are hereby declared applicable to suits referred for trial to the Sudder Ameens, in which the value or amount of the claim may be above one hundred and fifty

Certain Clauses of Section VIII. Regulation XXIV. 1814, declared applicable to such cases.

Rupees

Rupees, but may not exceed five hundred Rupees.

Section LXVII. Regulation XXIII. 1814, modified, and Sudder Ameens authorized to hold their cutcherries at any place where a Register may be stationed.

VI. By Section LXI. Regulation XXIII. 1814, the number of Sudder Ameens to be employed in each Zillah or City, is declared to be unlimited, and the Provincial Courts may at all times exercise their discretion in diminishing or augmenting the number of those officers. In modification however of the rule contained in Section LXVII. of the said Regulation, by which Sudder Ameens are required to hold their cutcherries at the station where the Zillah or City Court is held, it is hereby declared that one or more Sudder Ameens may be employed, and may hold their cutcherries at any place where a Register may be stationed at a distance from the Zillah or City Court to which he is attached; such Sudder Ameens shall exercise the same powers and functions, and shall be entitled to the same compensation as Sudder Ameens at the station of the Judge; provided however that original suits and appeals referrible to such Sudder Ameens shall be referred in the mode prescribed by Section XI. of this Regulation.

Proviso.

Petitions for the execution of Civil Decrees to be presented as heretofore.

Modifications of rules in force which require that decrees passed by Sudder Ameens and Moonsiffs be executed under the orders of a City or Zillah Judge.

VII. *First.* Petitions for the execution of decrees in civil suits shall be presented as heretofore, in the manner prescribed by the several Clauses of Section XV. Regulation XXVI. 1814, but such parts of the Regulations as require that decrees passed in civil suits by the Sudder Ameens, or by Moonsiffs, shall be executed or enforced under the special orders of the Zillah and City Judges, are declared subject to the following modifications.

In cases when applications are referred by the Judge to the Register for the execution of Sudder Ameens and Moonsiffs' decrees, appeals from the Registers orders allowed.

Second. Whenever the miscellaneous business depending in a Zillah or City Court would occupy a larger portion of time than the Judge can conveniently devote to it, he is authorized to refer to the Registers or Sudder Ameens all applications for the execution of decrees

crees passed by the Sudder Ameens or Moonsiffs. In these cases, an appeal from the orders of the Register or Sudder Ameen will lie in the first instance to the Judges, and specially to the Provincial Court.

Third. All orders issued by Registers or Sudder Ameens in cases so referred to them, shall be executed by the officers of the Zillah and City Courts, under the rules prescribed in the general Regulations for the execution of decrees.

By what Officers the Registers and Sudder Ameens orders are to be executed on such occasions.

VIII. Such parts of Section VI. Regulation V. 1793, extended to Benares by Section VI. Regulation IX, 1795, and to the Ceded and Conquered Provinces by Section VI. Regulation IV. 1803, as prescribe that the Provincial Courts of Appeal shall order the decrees which they may pass to be executed by the Judge of the proper Zillah and City Court are hereby modified, and it is declared that the decrees passed by the Judges of the Provincial Courts in all original regular suits relating to the jurisdiction of the Zillah or City Court within the local limits of which the Provincial Courts are situated, and the decisions of the Court of Sudder Dewanny Adawlut in appeal from all such decrees shall be executed by the Provincial Courts themselves, and all orders issued by the Judges of those Courts in such cases, shall be executed by the officers attached to the said Provincial Courts respectively, under the rules prescribed in the general Regulations for the execution of decrees.

Modification of Rules in force which require the Provincial Courts of Appeal to direct their decrees being executed by the City and Zillah Judges.

In what cases the Provincial Courts of Appeal are to execute their own decrees, as well as the decisions in Appeal of the Sudder Dewanny Adawlut.

IX. In addition to such provisions of the existing Regulations, as authorize the Judges of the Zillah and City Courts to refer to their Registers summary suits for the recovery of arrears of rent, or for possession of land, crops, or other property, in cases of forcible dispossession, provided that the cause of action would

Judges of City and Zillah Courts may refer summary suits of any amount to their Registers if they are vested with special powers.

would be referrible to their Registers in a regular suit; it is hereby declared that the Zillah and City Judges may refer to such of their Registers as may be vested with any of the special powers under Regulation XXIV. 1814, summary suits of any amount depending before them, concerning arrears of rent, or regarding forcible dispossession from lands or crops, or disturbance in the possession thereof: provided always that the Zillah and City Judges may at any time recal such suits, or any other miscellaneous cases referred to a Register, on the representations of the parties or otherwise, in such manner as they may deem just and proper.

Proviso.

Modification of rules in force relative to the place at which the Zillah and City Courts are to be held.

X. *First.* Whereas the speedy and satisfactory adjustment of summary suits of the description mentioned in the preceding Sections, will be promoted by authorizing the trial and decision of such suits at any place within the limits of the jurisdiction in which the cause of action may have arisen, such parts of the Regulations in force as prescribe that the Zillah and City Courts shall be held in the city or place at which they are respectively established, and that no rule, order, or proceeding is to be made, but on Court days, and in open Court, are hereby declared subject to the following modifications.

Judges and Registers of City and Zillah Courts empowered to hold their proceedings at any place within the jurisdiction of the Court to which they may be attached.

Second. The Judges and Registers of the Zillah and City Courts are empowered to hold their proceedings in summary suits regarding rent or dispossession from lands, or crops, or disturbance in the possession thereof, at any place within the jurisdiction of the Courts to which they may be respectively attached; provided that the cause of action shall have arisen within the limits of such jurisdiction, and that the Zillah or City Judge or Register shall be of opinion that the investigation of the case can be more conveniently conducted at such place than at the sudder station.

Proviso.

Third.

Third. The established pleaders of the Zillah and City Courts shall not be required to attend the trial of summary suits at a distance from the fixed station of the Judge or Register.—Such suits shall be tried in the presence of the parties, or any persons whom they may duly appoint to be present at the trial on their behalf.

Pleaders of the Courts exempted from attending the trial of summary suits when conducted at a distance from the fixed station of the Judge or Register.

Fourth. The principle of the foregoing rules is hereby declared to be equally applicable to summary suits referred for investigation to the Collectors.

Those rules declared equally applicable to summary suits referred to the collectors.

XI. *First.* Such parts of the Regulations in force as require that suits referrible to a Register shall be instituted in the first instance in the Courts of the Zillah and City Judges, are hereby declared subject to the following modifications.

Modification of rules in force which direct that suits referrible to Registers shall in the first instance be instituted in the Courts of the Judges.

Second. It shall be competent to a Register stationed at any other place than the fixed station of the Zillah or City Court, to receive in the first instance any original suits or appeals, which may be eventually referrible to him under the Regulations in force, in which the cause of action may have arisen, or the parties may reside, within the local jurisdiction entrusted to him as joint magistrate of the district of which he may be the Register, or officiating in that capacity.

Registers at other than the fixed stations of the Courts may in the first instance receive original suits or appeals.

Third. When an original suit or appeal shall be preferred to a Register under the provisions of the preceding Clause, he shall, after receiving the same, enter it in the register usually kept for that purpose, and shall forward by dawk or otherwise, a copy of the petition of complaint or appeal, together with copies of any other papers connected with it that may be necessary, to the Zillah or City Court, for the orders of the Judge, who, after causing the same to be registered, will either authorize the suit to be

How Registers are to proceed on the receipt of such suits or appeals.

be tried and determined by the Register or the Sudder Ameen stationed with the Register, according to the nature or amount of the suit; or will require the case to be transmitted for trial, either by himself, or any other competent authority. In the latter case, the plaintiff or appellant shall be required to attend in person, or by vakeel, to prosecute the suit in the Court in which the case may have been ordered to be tried, at the sudder station.

Registers when at others than the fixed station of the Court, authorized to receive applications for the execution of Sudder Ameens and Moonsiffs' decrees.

And empowered to execute them or to refer them for such purpose to the Sudder Ameens.

Appeals from Sudder Ameens orders to be made to the Registers.

XII. All applications for the execution of decrees passed by the Sudder Ameens and Moonsiffs within the local jurisdiction of the Registers fixed at any other than the sudder station of the Zillah or City Court, are hereby authorized to be received by such Registers, who shall be competent to execute them themselves, or to refer them for execution to the Sudder Ameens within their respective jurisdictions, in the mode prescribed by Clause third, Section VII. of this Regulation. Appeals from the orders of the Sudder Ameens shall in like manner be made in the first instance to the said Registers.

Certain Clauses of Regulations which authorize Registers to receive fees on the amount of Stamp duty on the decision of suits, rescinded.

Registers declared not entitled to fees subsequent to the 30th April, 1821.

XIII. The several Clauses of Section VIII. and Section IX. Regulation XXIV. 1814, and generally any other provisions of the Regulations, which authorize the Registers of the Zillah and City Courts to receive a proportion of the fees, or the amount of stamp duty substituted for such fees, by Regulation I. 1814, on the decision of suits referred to them for trial, are hereby rescinded. The Registers of the Zillah and City Courts shall not be entitled to any fees whatever on account of any Civil suits decided by them, subsequently to the 30th of April next ensuing, but are to receive from the 1st of May next, in lieu of such fees, a fixed allowance, the amount of which will be determined by Government.

XIV. The office of Register of the Provincial Courts of Appeal and Circuit shall be abolished from the 1st of May next ensuing, and the duties hitherto entrusted to those officers, shall be performed by the Judges of the Provincial Courts, and by the officers on their establishment, in such mode and under such rules as may be enjoined by the Court of Sudder Dewanny Adawlut and Nizamut Adawlut.

The office of Register of the Provincial Courts abolished, and their duties to be performed by the Judges and the Officers attached to their respective establishments.

A. D. 1821. REGULATION III.

A REGULATION *for extending in special cases the powers of Assistants to the Magistrates; for empowering the Hindoo and Mahomedan Law Officers of the Zillah and City Courts and Sudder Ameens to try and determine petty Thefts, and other Criminal cases of a trivial nature, when referred to them by a Magistrate; for limiting the period of Appeal in Foujdary cases; for rescinding parts of Section XII. and Section XVII. Regulation XXII.* 1816; *for modifying some of the rules in force relative to the rate and collection of the Assessment levied for the maintenance of Chowkeedars of Police; and for vesting the Magistrates with certain powers in regard to persons travelling through, or assembling within their jurisdictions, under suspicious circumstances:*—PASSED *by the Governor General in Council on the* 19*th of January* 1821; *Corresponding with the* 8*th Maug* 1227 *Bengal era; the* 1*st Maug* 1228 *Fussily; the* 9*th Maug* 1228 *Willaity; the* 1*st Maug* 1877 *Sumbut; and the* 14*th Rubbi-us-sanee* 1236 *Higeree.*

WHEREAS

Preamble.

WHEREAS the powers now vested in assistants to the Magistrates by Section XX. Regulation IX. 1807, do not enable them to afford that aid to the Magistrates which the state of public business in many districts requires, it is advisable to authorize in certain cases an increase of those powers: It is also deemed expedient, with a view to the speedy trial and punishment or acquittal of persons charged with petty offences, and to the due administration of criminal justice in cases of a trivial nature, to empower the Hindoo and Mahomedan Law officers of the Zillah and City Courts and the Sudder Ameens, to try and determine such cases when referred to them by a Magistrate; and to guard against the inconvenience which has been experienced from the unlimited privilege at present exercised of appealing in Foujdarry cases; and whereas it has been found expedient to rescind Clause Second, and such parts of Clause First, Section XII. Regulation XXII. 1816, as require that persons considering themselves aggrieved by the assessment authorized to be levied for the maintenance of the Chowkeedars of Police, shall present a Petition to the Magistrate or joint Magistrate on stampt paper; and to authorize the Judges holding the Sessions of Jail Delivery to report upon any abuses or irregularities which may appear to them to exist in the management and collection of the Assessment levied for the support of Chowkeedars of Police; and whereas there is reason to believe that persons, being the subjects of foreign states, often enter the territories of the British Government in large bodies, under the assumed character of travellers of rank and distinction, for the sole purpose of robbery and plunder, and as it is necessary to vest the Zillah and City Magistrates and joint Magistrates with sufficient powers to prevent such practices, the following rules have been enacted, to be in force from the date of their promulgation throughout the territories subject to the Presidency of Fort William.

II.

II. *First.*—Whenever the accumulation of judicial business in a zillah or city may render it impracticable for a Magistrate to discharge it with sufficient dispatch, and the Court of Nizamut Adawlut may be of opinion, either in consequence of a report from the Magistrate of such zillah or city, or from any other information before them, that the assistant of such Magistrate is duly qualified by his experience, industry and abilities, to be entrusted with the special powers described in the Third Clause of this Section; the Nizamut Adawlut shall report accordingly to Government.

Nizamut Adawlut to report on qualifications of Assistants to Magistrates, in cases of accumulation of business in Zillah and City Courts.

Second.—On the receipt of such report from the Nizamut Adawlut, or upon any other information before Government, it shall be competent to the Governor General in Council to invest such assistants with the special powers described in the following Clause, and information shall be communicated in every instance in which such powers may be vested in an assistant, to the Nizamut Adawlut, to the Court of Circuit, and to the Zillah or City Magistrate.

Governor General in Council empowered to invest such Assistants with the special powers described in Clause third of this Regulation.

Information in such instances to be communicated to the Magistrate, Court of Circuit and Nizamut Adawlut.

Third.—Section XX. Regulation IX. 1807, is hereby modified, and in addition to the powers vested in the Assistants to the Zillah and City Magistrates, by the Regulations heretofore in force, they may be specially empowered in all cases referred to them in which an individual may be convicted of any criminal offence punishable under the Mahommedan Law and the Regulations, for which the penalties authorized by the Section above quoted may appear insufficient, and for which a more severe punishment than six months imprisonment with thirty ratans, or a fine of two hundred Rupees, may not have been specially prescribed, to pass sentence of imprisonment, not exceeding six months, with corporal punishment not exceeding thirty ratans, in cases in which corporal punishment by stripes is authorized by the Regulations,

Section XX. Regulation IX. 1807, modified, and additional powers vested in Assistants to Magistrates.

lations, or in other cases with a fine not exceeding two hundred Rupees, commutable, if not paid, to a further period of imprisonment, not exceeding six months, so that the entire period of imprisonment, under the sentence of an assistant shall, in no instance, exceed one year.

Assistants to Magistrates in cases requiring a more severe punishment than that authorized by the preceding Section, not to pass sentence, but submit their proceedings to the Magistrate.

Who will decide according to the general Regulations.

Fourth.—In any case referred to the assistant of a Zillah or City Magistrate under the Regulations in force, in which the offence proved against the prisoner may appear to require a more severe punishment than he is by the foregoing Clause authorized to adjudge, he shall not pass any sentence, but shall submit his proceedings to the Magistrate, who, after holding any further proceedings he may deem necessary, will, if satisfied of the guilt of the prisoner, either pass sentence on him, under Regulation XII. 1818, and the general Regulations in force, or will commit or hold him to bail for trial before the Court of Circuit, according to the nature and circumstances of the case.

Rules by which assistants are to be guided in deciding on cases thus referred to them.

Fifth.—The rules contained in Sections XXI. and XXII. of Regulation IX. 1807, are to be considered applicable to all cases referred to the assistants, of the description specified in this Section.

Magistrates may recal cases referred to their Assistants.

Sixth.—The Magistrates are moreover at all times authorized to recal from their assistants any depending cases, which may have been referred to them under the present or former Regulations, and which for the more speedy administration of justice, or for any other reason, the Magistrates may deem it proper to determine themselves in the first instance.

In cases of death, removal or resignation of assistants vested with special powers, their successors not to exercise those powers unless authorized by Government.

Seventh.—Upon the death, removal, or resignation of any assistant, who may have been invested with special powers under the provisions of this Regulation, the person succeeding to the office

fice of assistant, shall in no case be entitled to exercise such special powers, without the previous sanction of the Governor General in Council; and it shall at all times be competent to the Governor General in Council, to revoke the special powers, which may have been entrusted to the Assistant of a Zillah or City Magistrate under this Section, for any cause which, in the opinion of the Governor General in Council, may render the adoption of that measure expedient.

The Governor General in Council declared competent to revoke the special powers entrusted to an assistant.

III. *First.*—The Zillah and City Magistrates are authorized to refer for trial to the Hindoo and Mahommedan Law officers of their respective Courts, all complaints or charges brought before them for petty offences, such as abusive language, calumny, inconsiderable assaults or affrays, and all charges of petty thefts when unattended with any aggravating circumstances.

Magistrates may refer petty complaints to their Native Law Officers.

Second.—The Magistrates of the Zillah and City Courts shall be competent to refer to their law officers any criminal cases, which they are already authorized by former Regulations to refer to their assistants, and in the mode of making the reference, and in the subsequent stages of the proceeding, the Magistrates and the Law officers shall be guided by the provisions hitherto in force relative to such cases.

And also cases heretofore referrible to assistants in the mode prescribed by the existing Regulations.

Third.—The Law officers of the Zillah and City Courts in the decision of criminal cases so referred to them, are hereby authorized to exercise the same powers as those vested in the assistants to the Magistrates, by Section XX. Regulation IX. 1807, and by the other Regulations therein referred to; that is, in cases referred to them for trial, they shall not sentence a person convicted of abusive language, or calumny, or inconsiderable assault or affray, to a more severe sentence than fifteen days imprisonment, and a fine of fifty rupees with an eventual commutation,

Such Law Officers empowered to exercise the powers vested in Assistants to Magistrates under the Regulations in force.

Exposition of the rules referred to in such cases.

tion, if the fine be not paid, to further confinement for fifteen days more, making the entire term of imprisonment, if the fine be not paid, one month of thirty days. Nor shall they sentence a person convicted of petty theft to a more severe corporal punishment than thirty ratans, and imprisonment for a period of one month. Persons sentenced to imprisonment by the Law officers shall not, during their imprisonment, be confined in irons or in fetters, except in cases in which the misconduct of such individual, during his imprisonment, shall appear to the Magistrate to render such measure necessary for his safe custody.

Persons imprisoned under sentences of the Law Officers not to be confined in irons or fetters, unless the Magistrate considers such a measure necessary.

Law Officers to furnish the Magistrates with monthly statements of decisions passed by them.

Fourth.—The Law officers of the Zillah and City Courts shall forward to the Magistrates, on the fifth day of each month, a statement shewing the manner in which the cases referred to them may have been disposed of, in order that the same after having been carefully inspected by the Magistrates, with the view of noticing and eventually correcting any irregularities, may be incorporated in the periodical reports required to be submitted to the superior Courts.

Foregoing rules applicable to Sudder Aumeens empowered under Section V Regulation II. to try Civil Suits exceeding one hundred and fifty Rupees, and to those appointed to the stations of joint Magistrates.

IV. The foregoing provisions are hereby declared to be equally applicable to any of the Sudder Aumeens, who may be empowered under Section V. Regulation II. 1821 to try civil suits exceeding in value or amount the sum of one hundred and fifty Rupees, and likewise to all Sudder Aumeens whether vested with such powers or not, who may be appointed to the stations of the Joint Magistrates, and the latter officers are hereby authorized to employ such Sudder Aumeens in the manner above specified.

Limitation of time for Appeals from decisions of Assistants and Sudder Aumeens, and from the orders of the Magistrates to the Courts of Circuit.

V. *First.* No appeal shall be admitted from the order of an assistant or a Sudder Aumeen in cases referred to them of a Criminal nature by the Magistrate, or joint Magistrate, unless preferred within the period of one month from the date of such order.

Nor

Nor shall any appeal from the order of a Magistrate or joint Magistrate be admitted, unless preferred to the Court of Circuit at the sudder station, within the period of one month from the date of the order, or to a Judge of Circuit holding the Sessions next ensuing after such order shall have been passed, unless it shall be proved that the petitioner was prevented, by circumstances totally beyond his controul, from presenting his petition within the prescribed period.

In what cases petitions of appeal may be received after the limited time.

Second. In calculating the period of one month above specified, the Courts shall be guided by the principles of the rules contained in Clause Tenth, Section VIII. Regulation XXVI. 1814.

How Magistrates are to be guided in calculating the period above adverted to.

VI. *First.* The whole of Clause Second, and such parts of Clause First, Section XII. Regulation XXII. 1816, as require that petitions of appeal from the assessment fixed by the Punchayet for the maintenance of Chowkeedars of Police, shall be presented on stampt paper, are hereby rescinded.

Rules requiring that petitions of appeal against Chowkeedarry assessments fixed by Punchayet be written on stampt paper, rescinded.

Second. The Magistrates and Joint Magistrates are empowered and required, notwithstanding any thing to the contrary contained in Section XIX. Regulation XXVIII. 1814, to receive on unstampt paper, all petitions which may be preferred to them by persons considering themselves aggrieved by the assessment, which may have been fixed by the Punchayet, appointed under the provisions of Section IX. Regulation XXII. 1816.

Magistrates and joint Magistrates empowered to receive such Petitions on unstampt Paper.

Third. When petitions of the above nature shall be presented to a Magistrate or Joint Magistrate, he shall proceed upon them as directed in Clause First, Section XII. Regulation XXII. 1816. It shall however be competent to the Judges of Circuit holding the Jail delivery, on the receipt of information leading them to be of opinion that the rate of assessment is too high, or otherwise essentially wrong or defective in any respect, to report their sentiments

And to proceed on them as directed in Clause first Section XII. Regulation XXII. 1816.

Judges of Circuit holding jail delivery may report to Government any cases of improper assessment.

timents on the subject to Government, in order that after making such further enquiries as may be necessary, suitable measures may be adopted for the revision or correction of the assessment.

Rules for preventing subjects of foreign states entering the British Territories under fictitious Characters for unlawful purposes.

VII. *First.* Whereas persons being the subjects of foreign states, and assuming the fictitious characters of Rajahs or of Natives of distinction, or of Pilgrims, have frequently entered into the British Territories or have assembled together in armed bodies, for the purpose of committing robberies or other crimes within those territories, the following rules have been enacted, with a view to prevent the recurrence of those practices.

Darogahs empowered to detain such persons, and unless they receive a satisfactory account may either report or send them to the Magistrates.

Second. In addition to the powers vested in Darogahs of Police, by the several Clauses of Section XX. Regulation XX. 1817, with regard to the apprehension of all vagrants and suspicious persons, they are hereby empowered to detain all persons travelling in bodies through their jurisdictions, or assembling therein, under circumstances leading to the suspicion that they have assumed a fictitious character, and that they are in reality persons of the description mentioned in the preceding Clause, and unless on examination they shall be able to give a satisfactory account of themselves, the Darogahs shall, without delay, either report to the Magistrates the circumstances under which they may have been detained, or in cases of an emergent nature, shall forward such individuals to the Magistrates.

Darogahs how to proceed in cases when suspicion only attaches to such persons although no sufficient cause for their detention exist.

Third. If a Darogah of Police, acting under the discretion vested in him by the preceding Clause, shall not see sufficient cause after the examination of the persons suspected, to send them to the Magistrate, or to detain them until the orders of the Magistrate shall be received, but shall nevertheless entertain suspicions of their real character and intentions, he shall depute one or more Police officers to watch their proceedings in passing through his jurisdiction, and shall notify the same to the adjoin-

ing

ing Police division, in order that the same precautions may be adopted and followed up.

Fourth.—If a Darogah of Police shall forward to the Magistrate any persons travelling through, or assembling in his division, under suspicious circumstances, the Magistrate having duly enquired into the grounds of their arrest, shall either release them, or adopt the precautionary measures directed in the preceding Clause, or, if they appear to be travelling without any reasonable object, and to be inhabitants of a remote district, or subjects of a foreign state, he shall compel them to return, under a suitable guard, from station to station to the district or territory from which they may appear to have proceeded.

Rules for the guidance of Magistrates in the disposal of persons sent in by the Darogahs.

Fifth.—The principal persons residing in Villages, whether landholders or farmers, or other local managers, or munduls, putwarries or other heads of villages, and also chowkeedars, and village guards of every description, are hereby declared responsible for the early and punctual communication to the officers of the nearest Police station, of the resort to, or passage through their villages, of any considerable body of strangers, or of the assemblage of such bodies within the limits of their villages, together with any particulars which they may be able to collect as to the alleged object of their assemblage or journey, or any suspicions which may arise as to their real character and intentions. Any landholder or farmer or other local manager or mundul, putwarry or other heads of villages, who shall wilfully neglect or delay to give the information above required, shall, on proof of such neglect, after an enquiry similar to that directed by Section XIII. Regulation IX. 1808, be sentenced to pay a fine, or to suffer imprisonment not exceeding the limitation therein specified; and any chowkeedar, or other village guard, who may be guilty of such neglect, shall be liable to the punishment which the Magistrates are authorized to inflict under the provisions of Section VI. Regulation III. 1812.

Landholders and others declared responsible for an early communication of the resort to their villages of suspicious persons.

Penalty to which they are declared liable should they omit giving the required information.

Punishment to which Chowkeedars are declared liable in case of neglect of duty.

A. D. 1821. REGULATION IV.

A REGULATION *for authorizing a Collector of Land Revenue or other Officer employed in the management or superintendence of any branch of the Territorial Revenues, to exercise, in certain cases, the powers of Magistrate, or joint Magistrate, and for authorizing a Magistrate, or joint Magistrate, or Assistant to a Magistrate, to exercise in certain cases the powers of a Collector of Land Revenue, or of any other officer employed in the management or superintendence of any branch of the Territorial Revenues ;—Also, for explaining the duties of an Assistant to a Collector of Revenue, and for defining the duties and powers vested in Assistant Collectors or other Officers appointed to the charge of the Revenues of Pergunnahs or other local divisions, or employed in the performance of any portion of the functions ordinarily belonging to Collectors of Land Revenue :*—PASSED *by the Governor General in Council on the* 19*th of January* 1821, *corresponding with the* 8*th Maug* 1227 *Bengal era ; the* 1*st Maug* 1228 *Fussily ; the* 9*th Maug* 1228 *Willaity ; the* 1*st Maug*

1877 *Sumbut; and the* 14*th Rubbiussanee* 1236 *Higeree.*

Preamble.

WHEREAS it may be expedient to authorize a Collector of Land Revenue or other officer employed in the management or superintendance of any branch of the territorial revenue, to exercise in certain cases the whole or any portion of the powers at present exercised respectively by a Magistrate, or joint Magistrate, or to vest the powers of a Collector of Revenue, or any portion thereof, in the hands of a Magistrate or joint Magistrate, or of an assistant to a Magistrate, and whereas it is expedient to explain the duties which may be performed by the assistants to the Collectors of Revenue, and to define the duties and powers vested in assistant Collectors or other officers when appointed to the charge of the revenues of Pergunnahs or other local divisions, or when employed in the performance of any portion of the functions ordinarily belonging to Collectors of the Land Revenue; the following rules have been enacted, to be in force from the date of their promulgation throughout the territories subject to the Presidency of Fort William.

Governor General in Council declared competent to authorize a collector or other revenue officer to exercise the powers of a Magistrate or joint Magistrate, and to invest Magistrates with the powers of a Collector.

II. It shall be competent to the Governor General in Council to authorize a Collector of Revenue or other officer employed in the management or superintendance of any branch of the territorial revenues, to exercise the whole or any portion of the powers and duties vested by the Regulations in the Magistrates or joint Magistrates, or to employ a Magistrate, joint Magistrate, or an assistant to a Magistrate in the collection of the public revenue, and to invest the person so employed with the whole or any portion of the powers of a Collector of Revenue, or of other officer employed in the management or superintendence of any branch of the territorial revenues.

III

III. *First.* If a person holding the office of Magistrate, or joint Magistrate, or assistant to a Magistrate, shall be employed in the collection of the public revenue, he shall, previously to entering upon the execution of the duties of a Collector, take and subscribe the oath prescribed by Section XXV. and Section XXVI. Regulation V. 1804.

Magistrates &c. employed in the collection of the public revenue to take a prescribed oath.

Second. In like manner, if a person holding the office of Collector of Revenue, or of any other officer employed in the management or superintendence of any branch of the territorial revenues, shall be appointed to perform the duties of Magistrate, or joint Magistrate, he shall, previously to entering upon the execution of such office, take and subscribe the oath prescribed by Section II. Regulation IX. 1793, and Clause first, Section III. Regulation XIII. 1793, with such verbal alterations only, as may be consonant to the nature of the appointment.

Collectors and other revenue officers appointed to the discharge of Magisterial duties of a Magistrate to take the prescribed Oath.

IV. *First.* If a person holding the office of Magistrate, joint Magistrate, or of assistant to a Magistrate, shall be employed in the collection of the public revenue, he shall be guided in the execution of his duty as Collector by the orders of the Board of Revenue, or the Board of Commissioners, and by the rules and regulations that have been, or may be enacted for the collection of the public revenue.

Magistrates &c. employed in the collection of the public Revenue to be guided by the orders of the Boards of Revenue and Commissioners and by the Rules and Regulations of Government.

Second. If a person holding the office of Collector of Revenue, or otherwise employed in the management or superintendence of any branch of the territorial revenue, shall be appointed to perform the duties of Magistrate, or joint Magistrate, he shall be guided in the execution of those duties by the Regulations which have been, or may be enacted for the guidance of those officers respectively, and by the orders of the superior Courts of Criminal Judicature, in all matters in which a controlling

Collectors or other revenue officers, employed as Magistrates, to be guided by the Regulations and by the Orders of the superior Courts.

ling, or superintending power, is vested in those Courts.

Magistrates &c. employed in the collection of revenue and revenue officers exercising the powers of a Magistrate or joint Magistrate, to preserv the records of their respective offices separate and distinct.

V. Every Magistrate, or joint Magistrate, or assistant to a Magistrate, who may be employed in the collection of the revenue, and every Collector or other officer employed in the management or collection of the territorial revenues, who may be authorized to exercise the powers of a Magistrate or joint Magistrate, under the provisions of this Regulation, shall be careful to preserve the records of their judicial and revenue offices separate, and distinct from each other.

Such of the Rules in force as declare Collectors amenable to Zillah and City Courts for acts done in opposition to the Regulations applicable to Magistrates employed in the collection of revenue.

VI. *First.* Such parts of the existing Regulations as declare the Collectors of Revenue to be amenable to the Zillah and City Courts for any acts done by them in their official capacity, in opposition to the Regulations, shall be held applicable to any Magistrate, or joint Magistrate, or assistant to a Magistrate, who may be employed in the collection of the public revenue.

Proviso in the event of such officer being himself the Judge of the Zillah or City in which the act may have been committed.

Second. Provided always that if such individual shall, at the same time, hold the office of Judge of the Zillah or City in which the act in question may have been committed, such act shall not be cognizable by the Zillah or City Court, but by the Provincial Court of the division in which such Zillah or City may be included.

In the institution of a suit in a Zillah or City Court, a Magistrate employed in the collection of Revenue, not being himself in charge of the Office of Judge shall proceed according to the Regulations enacted for the guidance of Collectors.

VII. In the institution of suits for the recovery of the public revenue, or in any case in which the institution of a suit by the Collector in the Zillah or City Courts is authorized, or directed by the Regulations, a Magistrate or joint Magistrate, or assistant to a Magistrate, employed in the collection of the revenue not being himself in charge of the office of Judge of a Zillah or City Court, shall proceed according to the Regulations already in force for the guidance of the Collectors under similar circumstances.

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VIII. *First.* It is hereby declared and enacted, that it is and shall be lawful for the Governor General in Council to cause such alterations to be made in the limits of the several Collectorships, and in the number of the officers employed as Collectors of Land Revenue as may from time to time appear expedient, as well as to vest such officers, being covenanted servants of the Honorable Company, with authority to exercise the whole or any part of the functions ordinarily exercised by Collectors of Land Revenue in such mehal or mehals belonging to such district or districts as may from time to time be deemed expedient: and any officers so employed shall perform their prescribed duties in the same manner and subject to the same conditions and liabilities as attach to Collectors of Land Revenue in regard to such duties.

Governor General in Council competent to cause such alterations in the limits of the several Collectorships and in the number of Officers employed as Collectors as may from time to time appear expedient.

Second. It shall also be competent to the Board of Revenue, or other authority exercising the powers of that Board, to depute any of the officers subordinate to their authority, to exercise and perform all or any of the powers and duties ordinarily vested in Collectors of Land Revenue within such local limits as they may judge expedient; provided however that in all such cases the Board, or other authority aforesaid, shall, on the day in which they may depute any officer as aforesaid, or as soon after as practicable, report their having done so for the information and orders of the Governor General in Council.

Boards of Revenue and Commissioners empowered to depute Officers subordinate to them to exercise the powers of Collectors within such local limits as they may judge expedient.

Proviso—requiring a report of their having done so.

Third. The Collectors of Revenue are hereby authorized, with the sanction of the Board of Revenue, or the Boards of Commissioners, to delegate to their assistants any part of their prescribed duties, which from the extent of their general business, or other cause, they may be unable to give due attention to themselves; provided always, that in the event of a Collector deputing his assistant to make local enquiries, or for any other purpose

Collectors authorized with the sanction of the Boards, to delegate to their assistants any part of their duties to which they may be unable to give due attention.

Proviso, in the event of a Collector deputing his Assistant.

purpose connected with the collection of the public revenue, he shall immediately report the same for the information and orders of the Board of Revenue, or Board of Commissioners to which he may be subordinate.

An assistant to a Collector to take the oath prescribed in Sections XXV and XXVI Regulation V. 1804 previously to entering on his duties.

Fourth. Previously to entering upon the duties of his office, an assistant to a Collector shall take and subscribe an oath corresponding with that prescribed by Section XXV. and Section XXVI. Regulation V. 1804. for servants of the Company employed in the management and collection of the public revenue.

Assistants or other officers exercising the powers of Collectors to be guided by the Regulations, and to be responsible for the performance of their duties and amenable to the Civil Courts.

Fifth. Assistants or other officers exercising the powers of Collectors of Revenue, or any portion thereof, under the provisions of this Regulation, shall be guided in every respect by the regulations which have been, or may be enacted for the management and collection of the revenue, as far as the same may be applicable to the duties committed to them respectively; and shall be considered responsible for the due performance of the duties entrusted to them; and shall be amenable to the Civil Courts of Judicature for any acts done by them in their official capacity, in opposition to the Regulations, in the same manner, and under the same rules, as the Collectors of Revenue.

A. D. 1821. REGULATION V.

A REGULATION *for settling the rates at which Benares and Furruckabad Rupees shall be received in payment of the Revenue of Malgoozars, whose engagements are expressed in Gohurshahee or Tirsoolee Rupees:*—PASSED *by the Governor General in Council on the* 23*d November* 1821; *corresponding with the* 9*th Aughun* 1228 *Bengal Era; the* 14*th Aughun* 1229 *Fussily; the* 10*th Augun* 1229 *Willaity; the* 14*th Aughun* 1878 *Sumbut, and the* 27*th Suffer* 1237 *Higeree.*

IT is enacted by Regulation XI. 1819 that the Furruckabad rupees shall be received within the province of Benares at par with the Benares rupees: but no provision has been made for regulating the exchange in account between the said rupees and the Gohurshahee, and Tirsoolee rupees, in which it appears that the engagements of many malgoozars are expressed: moreover the batta to be taken from such malgoozars has hitherto been arbitrarily fixed, and considerable abuses have consequently prevailed. The intrinsic value of the coins having been now ascertained

Preamble.

tained by a careful assay, whence it has appeared that the rupee denominated Chorah Gohurshahee exceeds, and the other descriptions of Gohurshahee rupees equal the Furruckabad rupee in value, and that the latter coin is 3: 11: 7 per cent. superior in value to the Tirsoolee rupee, the revenue officers have been directed to adjust their demands on the said malgoozars according to the results of the assay, subject to the general principle of receiving the Furruckabad rupee at par with the Benares rupee, and without any demand of batta on account of its inferiority in value below the local currency. In pursuance of the orders already issued in this matter, and for the purpose of making generally known the results of the assays, and of removing all doubts as to the rate at which rupees denominated Gohurshahee and Tirsoolee are to be valued, the following rules have been enacted, to be in force from the date of their promulgation.

In what cases the Benares, Furruckabad and Gohurshahee rupees to be considered of equal value, and to be received and paid without any allowance or deduction on account of batta.

II. The Benares and Furruckabad rupees, which are now received as of equal value in all payments of the Government revenue shall be paid and received in lieu of the Gohurshahee rupees, and at par with the same in liquidation of all demands on any malgoozar or other person who may have entered into engagements with Government, expressed in any description of Gohurshahee rupee. The Gohurshahee rupee shall be held and considered as of equal value with the Furruckabad and Benares rupees in the adjustment of all claims or demands, on account of revenue arising out of such engagements as aforesaid, which may be suspended or unsettled, and no malgoozar or other person aforesaid shall be entitled to any deduction or allowance by way of batta, or the like on account of payments made or tendered by him in Benares or Furruckabad rupees, in fulfilment of engagements expressed in Gohurshahee rupees: provided always that in cases in which such deduction or allowance may have been made, and receipts granted or credit given accordingly, nothing

Proviso.

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in this Regulation shall be understood to authorize the officers of Government or individuals to make any demand on account of such deduction or allowance, nor shall any such demand be held valid.

III. All malgoozars or other persons whose engagements are expressed in Tirsoolee rupees, shall be allowed a batta of rupees 3: 11: 7 per cent. on payments made in Furruckabad or Benares rupees: that is to say, on the payment of rupees 96: 4: 5 of the Furruckabad or Benares currency, the said persons shall have credit for 100 Tirsoolee rupees, in liquidation of demands under engagements expressed in that description of rupee: provided always that all suspended or unsettled demands or accounts shall be adjusted on the same principle, but no fresh demands shall be admitted on account of any deduction or allowance made in the settlement of accounts already adjusted.

Persons whose engagements are made in Tirsoolee rupees to be allowed a certain batta or per centage on payments in Furruckabad or Benares rupees.

Proviso.

IV. All mehals held in farm within the province of Benares, whereof there may be no ancient proprietors forthcoming entitled to re-enter, subject to the payment of the jumma already fixed, being open to re-settlement on the death of the farmers, it is hereby declared and enacted that the collectors within the said province shall hereafter adjust the assessment of such estates with reference to the assets estimated in Furruckabad rupees, and that the engagements of the malgoozars of such estates shall be uniformly expressed in that currency. In like manner in cases wherein the ancient zemindars may be entitled to re-enter, subject to the payment of the jumma already fixed, the said jumma, if expressed in Gohurshahee or Tirsoolee rupees, shall

Certain cases in which engagements for lapsed mehals within the province of Benares are to be made in Furruckabad rupees.

And others in which the payment if expressed in Gohurshahee or Tirsoolee rupees, is to be converted into Furruckabad rupees.

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be converted into Furruckabad rupees at the rates herein before specified, and the engagements of the proprietors shall be expressed in the last mentioned currency.

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1814	XXVI.	XV.	*Seventh. Eighth,* & *Ninth.*	Modified by .	II.	VII.	*First.*
1814	XXIV.	VIII. and IX.	—	Rescinded by	II.	XIII.	
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1816	XXII.	XII.	*Part of First and whole of Second.*	Rescinded by	III.	VI.	*First.*
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Judges of Circuit holding Jail Delivery, may report to Government any cases of improper Assessment.	III.	VI.	*Third.*
Rules for preventing Subjects of Foreign States entering the British Territories under fictitious Characters for unlawful purposes, ...	III.	VII.	*First.*
Darogahs empowered to detain such persons, and unless they receive a satisfactory account, may either report or send them to the Magistrates, ...	III.	VII.	*Second.*
Darogahs how to proceed in cases where suspicion only attaches to such persons, altho' no sufficient cause for their detention exists, ...	III.	VII.	*Third.*
Rules for the guidance of Magistrates in the disposal of persons sent in by the Darogahs, ...	III.	VII.	*Fourth.*
Landholders and others declared responsible for an early communication of the resort to their Villages of suspicious persons, ...			

Penalty

	Regulation.	Section.	Clause.
Penalty to which they are declared liable should they omit giving the required information, ...			
Punishment to which Chowkeedars are declared liable in case of neglect of duty, ...	III.	VII.	*Fifth.*
Governor General in Council declared competent to authorize a Collector or other Revenue Officer, to exercise the powers of a Magistrate or joint Magistrate, ...	IV.	II.	
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To be guided by the Regulations and by the orders of the Superior Courts, ...	IV.	IV.	*Second.*
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Reasons for enacting this Regulation, ...	II.	I.	
The Provincial Courts empowered to increase the number of Moonsiffs on the recommendation of a City or Zillah Judge, ...	II.	II.	
Moonsiffs empowered to try and decide on Suits not exceeding One hundred and Fifty Rupees, Proviso,	II.	III.	*First.*
Prohibitions contained in Clauses Second and Third, Section XIII. Regulation XXIII. 1814, declared applicable to such Suits, ...			
The payment of Stamp duties and compensations to Moonsiffs, how to be regulated, ...	II.	III.	*Third.*
Rules in force regarding the decision of Suits by Moonsiffs declared applicable to Suits instituted under this Regulation, ...	II.	III.	*Fourth.*
PROVINCIAL COURTS.			
The Office of Register of the Provincial Courts abolished, and their duties to be performed by the Judges and Officers attached to their respective Establishments, ...	II.	XIV.	
REVENUE.			
Governor General in Council declared competent to invest Magistrates, Joint Magistrates and Assistants to Magistrates, with the power of a Collector, ...	IV.	II.	
Magistrates, &c. employed in the collection of the Public Revenue, to take a prescribed oath, ...	IV.	III.	*First.*
Magistrates, &c. employed in the collection of the Public Revenue, to be guided by the orders of the Boards of Revenue and Commissioners, and by the Rules and Regulations of Government, ...	IV.	IV.	*First.*
Magistrates, &c. employed in the Collection of Reve-			

nue,

	Regulation.	Section.	Clause.
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Proviso in the event of such Officer being himself the Judge of the Zillah or City in which the act may have been committed, ...	IV.	VI.	*Second.*
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Governor General in Council competent to cause such alterations in the limits of the several Collectorships and in the number of Officers employed as Collectors, as may, from time to time, appear expedient, ...	IV.	VIII.	*First.*
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Proviso, requiring a report of their having done so, ...	IV.	VIII.	*Second.*
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An Assistant to a Collector to take the oath prescribed in Sections XXV. and XXVI. Regulation V. 1804, previously to entering on his duties, ...	IV.	VIII.	*Fourth.*
Assistants or other Officers exercising the powers of Collectors, to be guided by the Regulations, and to be responsible for the performance of their duties, and amenable to the Civil Courts, ...	IV.	VIII.	*Fifth.*
In what cases the Benares, Furruckabad, and Gohurshahee Rupees are to be considered of equal value, and to be received and paid without allowance or any deduction on account of Batta, ...	V.	II.	
Persons whose engagements are made in Tirsoolee Rupees, to be allowed a certain Batta or per cent-			

age

	Regulation.	Section.	Clause.
age on payments in Furruckabad or Benares Rupees—Proviso, ...	V.	III.	
Certain Cases in which engagements for lapsed Mehals within the province of Benares, are to be made in Furruckabad Rupees, and others in which the payment if expressed in Gohurshahee or Tirsoolee Rupees is to be converted into Furruckabad Rupees,	V.	IV.	
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Special Commission further empowered to investigate claims for the recovery of land or rights connected with Land, the possession of which may have been lost without just cause, in consequence of the acts or proceedings of Revenue Officers, ...	I.	III.	*Sixth.*
In cases adjudged by the Special Commission, the interests vested in the claimants to be distinctly defined,	I.	III.	*Seventh*
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The Jurisdiction of the Commission extended to cases already decided by the Courts of Justice, or depend-			

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	Regulation.	Section.	Clause.
ing before them, ...	I.	V.	*First.*
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Courts and Collectors to give their aid to the Commission, ...	I.	VII.	
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Sudder Commission to be constituted, ...	I.	X.	*First.*
Powers and functions of the Sudder Commission, ...	I.	X.	*Second.*
All decisions of Mofussil Commission to be reported to the Sudder Commission; and the latter empowered to revise, modify, or annul such decisions, ...	I.	X.	*Third.*
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	Regulation	Section.	Clause.
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	Regulation.	Section.	Clause.
ed by Sudder Aumeens and Moonsiffs—Appeals from the Sudder Aumeen's Orders to be made to the Register, ...	II.	XII.	
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TITLES

OF THE

REGULATIONS,

PASSED IN THE YEAR

1822.

REGULATION I.

A REGULATION *for amending Regulation XLIX.* 1793, *Regulation XXXII.* 1803, *and Regulation V.* 1809,—*Passed on the* 18*th January*, 1822.

REGULATION II.

A REGULATION *for modifying certain Provisions in the existing Regulations relative to the Officers employed in the collection of Government Customs and Town Duties,—Passed on the* 19*th of March*, 1822.

REGULATION III.

A REGULATION *for modifying the constitution and altering the jurisdiction of the several Boards vested with the superintendence of the Land Revenue, in the territories belonging to the Presidency of Fort William,—Passed on the* 19*th March*, 1822.

REGULATION IV.

REGULATION IV.

A REGULATION *to provide for the more effectual administration of Criminal Justice in certain cases,—Passed on the 29th March,* 1822.

REGULATION V.

A REGULATION *for amending certain provisions of Regulation IX.* 1808,—*Passed on the 13th June,* 1822.

REGULATION VI.

A REGULATION *to establish a Court of Wards for Benares, and to define and explain certain of the rules regarding the powers and jurisdiction of the several Courts of Wards,—Passed on the 1st of August,* 1822.

REGULATION VII.

A REGULATION *for declaring the principles according to which the settlement of the Land Revenue in the ceded and conquered provinces, including Cuttack, Puttaspore and it's dependencies, is to be hereafter made, and the powers and duties belonging to collectors or other officers employed in making, revising or superintending settlements; for continuing, with certain exceptions, the existing leases within the said provinces for a further term of five years; for defining, settling and recording, the rights and obligations of various classes and persons possessing an interest in the land, or in the rent or produce thereof; and for vesting the Revenue authorities with judicial cognizance in certain cases of suits and claims relating to land, the rent and produce of land,—Passed on the 8th August,* 1822.

REGULATION VIII.

A REGULATION *to declare, that persons charged with crimes and misdemeanors must ordinarily be brought to trial at the foujdaree court or sessions of the district in which such crimes or misdemeanors*

demeanors may be perpetrated, and to vest the Governor General in Council and the Nizamut Adawlut with a discretionary power as to the place of trial,—Passed on the 12th September, 1822.

REGULATION IX.

A REGULATION *to extend the rules of Regulation V.* 1809, *and of Section VI. Regulation I.* 1822, *to Emigrants from foreign states, and other aliens settled in the British territories, or living and residing therein for a period of six months and upwards; also to provide for the execution, by zillah and city magistrates, of sentences passed by tribunals established by Government in countries not subject to the general Regulations,—Passed on the 19th September,* 1822.

REGULATION X.

A REGULATION *for exempting the Garrow mountaineers and other rude tribes on the North Eastern frontier of Rungpore, from the operation of the existing Regulations, and for establishing a special system of Government for the tract of country occupied by them, or bordering on their possessions,—Passed on the 19th September,* 1822.

REGULATION XI.

A REGULATION *for modifying and explaining the existing Regulations relative to the sale of land for the recovery of arrears of Revenue; for declaring Government not to be liable for any errors or irregularities in the proceedings of the courts of Justice; and for making further provision for the conduct of the Revenue officers in certain cases,—Passed on the 22d November,* 1822.

A. D. 1822. REGULATION I.

A REGULATION *for amending Regulation XLIX.* 1793, *Regulation XXXII.* 1803, *and Regulation V.* 1809:—PASSED *by the Governor General in Council on the* 18*th January* 1822; *corresponding with the* 6*th Maug* 1228 *Bengal era; the* 11*th Maug* 1229 *Fussly; the* 7*th Maug* 1229 *Willauy; the* 11*th Maug* 1878 *Sumbut; and the* 23*d Rubee-us-Sanee* 1237 *Higeree.*

Preamble.

WHEREAS it has been deemed advisable that persons engaged in affrays, and native subjects of the British Government committing criminal offences in places out of the limits of the British provinces, should in cases of minor importance and of an unaggravated nature be declared punishable by the Magistrates, without commitment to the Courts of Circuit; and whereas Regulation XLIX. 1793, Regulation XXXII. 1803, and Regulation V. 1809, have been held to place the punishment of such offenders beyond the competence of the Magistrates, and to render their commitment

for

for trial to the Courts of Circuit indispensable; the following rules have been enacted, to be in force throughout the British territories immediately subject to the Government of the Presidency of Fort William, from the date of their promulgation.

Regulations amended.

II. Regulation XLIX. 1793, Regulation XXXII. 1803, and Regulation V. 1809, are hereby amended.

Affrays punishable by the Magistrate under certain restrictions.

III. All persons charged with being concerned in affrays as defined in Regulation XLIX. 1793, and Regulation XXXII. 1803, shall, upon due proof of the offence, provided the affrays be unattended with homicide, severe wounding or other aggravating circumstance, be punishable by the Magistrate or Joint Magistrate of the district in which the affray may have occurred, without commitment to the Court of Circuit.

Rules for awarding punishment in such cases.

IV. In awarding punishment in such cases, the Magistrate or Joint Magistrate shall not exceed the powers vested in him by Section XIX. Regulation IX, 1807; nor shall it in any case of affray be competent to a Magistrate or Joint Magistrate to award corporal punishment, nor shall a Magistrate refer any such case for examination and decision to his assistant, unless such assistant shall be invested with the special powers designated in Section II. Regulation III. 1821.

Not referrible to assistants.

All cases of affray not punishable by the Magistrate, to be disposed of as heretofore.

V. In all cases of affray attended with homicide, severe wounding or other aggravating circumstance, the Magistrate or joint Magistrate shall, as heretofore, bring the offenders to trial before the Court of Circuit, committing them to prison or enlarging them upon bail, as the circumstances of each case may appear to require.

VI. All native subjects of the British Government, as specified in Regulation VIII. 1813, who may commit a crime or a misdemeanour in places out of the limits of the British provinces, shall, after the receipt of the sanction of the Governor General in Council, required by Regulation V. 1809, be tried and punished or acquitted by the Magistrate or Joint Magistrate, or be committed for trial before the Court of Circuit, according to the nature and circumstances of the offence, in the same manner as if the offence had been committed within the limits of the British territories.

Magistrates vested with power to proceed in all offences committed by Native subjects of Government out of the limits of the British provinces, in the same manner as in similar offences committed within those limits.

A. D. 1822. REGULATION II.

A REGULATION *for modifying certain Provisions in the existing Regulations relative to the Officers employed in the collection of the Government Customs and Town duties:*—PASSED *by the Governor General in Council on the* 19*th of March* 1822, *corresponding with the 7th Chyte* 1228 *Bengal era; the* 12*th Chyte* 1229 *Fusly; the 8th Chyte* 1229 *Willaity; the* 11*th Chyte* 1878 *Sumbut, and the* 24*th Jumadee-us-Sanee* 1237, *Higeree.*

Preamble.

WHEREAS it has appeared expedient to place the Sea and Land departments of the Calcutta Customs under two distinct officers, to be denominated, the one Collector of Sea Customs, the other Collector of Inland Customs, and whereas it is expedient that the Governor General in Council should exercise the power of appointing, by an order in Council, such officer or officers as he may deem fit to exercise the whole, or any part of the duties and authority vested by the existing Regulations

gulations in Collectors of Customs and their deputies, the following rules have been enacted, to be in force from the date of their promulgation.

Parts of Regulations IX. and X. of 1810, and other Regulations, imposing restrictions on the appointment of Officers for the collection of Government Customs and Town duties, rescinded.

II. *First.* So much of Section VI. Regulation IX. of 1810, Sections IV., and XXVI., Regulation X. of 1810, as prescribes the appointment of the Officers therein mentioned, to exercise the duties vested by those Regulations in Collectors of Customs and Town duties, together with all other provisions of the existing Regulations, which restrict or can be construed to restrict the Governor General in Council in the appointment of officers to the exercise and performance of the said powers and duties, are hereby rescinded.

Power reserved to the Governor General in Council to appoint any number of officers, being covenanted servants, to collect the duties of Government Customs and Town duties, and they to have the full power now exercised by Collectors or Deputy Collectors.

Second. It shall and may be competent to the Governor General in Council, by an order in Council, to appoint such and as many officers, being covenanted servants of the Honorable Company, as he may from time to time deem proper, to collect the duties of Government Customs and Town duties, or such items thereof, as the said Governor General in Council may deem proper, and the officers so appointed shall possess and exercise in regard to the duties, the collection of which may be entrusted to them, and to all persons and things chargeable with or liable to the said duties, as well as in respect to all forfeitures, defaults, suits, investigations and processes relating to such duties or the collection thereof, or to the subordinate officers employed in the collection or custody of the said duties, or the articles chargeable therewith, all such powers and authorities as may or shall be legally exercised by collectors, or deputy collectors, under the Regulations which are now in force, or which may be hereafter

hereafter enacted, subject to the same rules and provisions as may or shall apply to the collectors and deputy collectors aforesaid.

Third. It shall likewise be competent to the Governor General in Council, by an order in Council, to vest any officer or officers being covenanted servants of the Company, whether employed in collecting the Customs and Town duties or not, with such part of the powers and authority usually possessed and exercised by Collectors of Customs and Town duties, as he may from time to time judge to be proper.

The Governor General in Council may vest any covenanted servant with part of the powers and authority now exercised by the Collectors of Customs and Town duties.

Fourth. It shall also be competent to the Governor General in Council to pass such orders as may from time to time appear proper, in regard to the disposal of that part of the proceeds of goods confiscated, or of the fines or penalties incurred by a breach of the Custom Regulations, which under the provisions of the existing Regulations is assigned to the Collectors of Customs, or other covenanted servants of the East India Company.

The Governor General in Council alone shall be competent to pass orders in regard to the disposal of the proceeds of goods confiscated, or of the fines or penalties incurred by a breach of the Custom Regulations.

A. D. 1822. REGULATION III.

CONCERNING CARPENTERS WORK
SUCH AS BOARDS PLANKS & Sticks & Posts

A REGULATION *for modifying the constitution and altering the jurisdiction of the several Boards vested with the Superintendence of the Land Revenue, in the territories belonging to the Presidency of Fort William :*—PASSED *by the Governor General in Council on the* 19*th March* 1822, *corresponding with the* 7*th Choite* 1228 *Bengal Era, the* 12*th Choite* 1229 *Fussily ; the* 8*th Choite* 1229 *Willaity ; the* 11*th Choite* 1878 *Sumbut ; and the* 24*th Jamudu Sany* 1237 *Higeree.*

WHEREAS the superintendence of the Dehlee territory has recently been vested in the Board of Commissioners for the ceded and conquered provinces, and for this and other causes it has become necessary to relieve the said Board from the

Preamble.

the charge of a portion of the districts now under their control, and whereas it is also desirable to modify the constitution and alter the jurisdiction of the several Boards entrusted with the management of the land revenue, the following rules have been enacted, to be in force from the date of their promulgation.

Provisions of Regulations rescinded.

II. *First.* Sections XXVIII., XXIX., XXXIV., XXXV., XLIX., L., LI., LII., LIII., LIV., LV., LVI., LVII., LVIII., LIX., LX., LXI., LXII., LXIII., LXIV., LXV., LXVI., LXVII., LXVIII., LXIX., and LXX., Regulation II., 1793, Section XXVI., Regulation V, 1795, and Section XXVII., Regulation XXV., 1803, are hereby rescinded.

Further provisions rescinded.

Second. Regulation I., 1816, Regulation I., 1817, and Sections II., and III., Regulation XXIV., 1817, are hereby rescinded.

Bhaugulpore and Purnea transferred from the jurisdiction of the Board of Commissioners for Behar and Benares to the Board of Revenue, which is to be called the Board of Revenue for the Lower Provinces.

III. *First.* The duties, powers, and authority at present exercised by the Board of Commissioners in Behar and Benares, within the districts of Bhaugulpore and Purneah, shall from and after the 1st of May next, be vested in the Board of Revenue, which shall continue to possess, exercise, and perform the duties, powers, and authority now belonging to them in the districts subordinate to their authority, and shall hereafter be denominated the Board of Revenue for the Lower Provinces.

The north and south divisions of Bundlecund, with Zillahs Allahabad & Cawnpore, transferred from the Board of Commissioners in the ceded and conquer-

Second. The duties, powers, and authority at present exercised by the Board of Commissioners in the ceded and conquered provinces within the southern and northern divisions

divisions of Bundlecund and the districts of Allahabad and Cawnpore, shall from and after the said date be vested in the Board of Commissioners in Behar and Benares, which shall continue to possess, exercise, and perform the duties, powers, and authority now belonging to them in the districts at present subordinate to them, save as above provided, and shall be hereafter denominated the Board of Revenue for the Central Provinces.

ed provinces to the Board of Commissioners for Behar and Benares, which is to be called the Board of Revenue for the Central Provinces.

Third. The several districts of the ceded and conquered provinces, with the exception of the districts above specified, shall continue as heretofore, subordinate to the Board of Commissioners, which Board shall hereafter be denominated the Board of Revenue for the Western Provinces.

The remaining districts of the ceded and conquered Provinces to continue as heretofore, subordinate to the Board of Commissioners, which Board is to be denominated "The Board of Revenue for the Western Provinces."

IV. *First.* The said Boards shall each of them consist of such number of Members as the Governor General in Council may from time to time appoint.

Power reserved to the Governor General in Council in appointing Members to the Boards.

Second. The said Boards shall ordinarily sit daily (Sundays and Holidays excepted) for the transaction of public business.

Sittings of the Boards ordinarily to be daily.

Third. In regard to the form of their proceedings, they shall be guided in all cases, not specifically provided for in the existing Regulations, by such orders as the Governor General in Council may from time to time issue, and it shall be competent to the Governor General in Council to fix the sudder stations of the several Boards at such places within the territories belonging to this Presidency, whether

Boards to be guided in regard to the form of their proceedings, in cases where no special Regulations exist, by the orders of Government.

Power reserved to the Governor General in Council in fixing the sudder stations of the Boards.

whether the operation of the general code of Regulations may or may not extend to the same, as from time to time may be deemed expedient,—any thing in the existing Regulations to the contrary notwithstanding.

Governor General in Council declared competent to authorize when necessary a single Member of any Board to exercise all the duties vested in the Board collectively.

And to authorize the several Members separately to exercise at the same time such part of the duties as may appear requisite for the greater dispatch of business or other cause.

V. *First.* It shall be competent to the Governor General in Council, by an order in Council, to authorize a single Member of any of the said Boards to exercise either generally or locally, all the duties, powers and authority which are vested in the Board collectively, whenever circumstances may render such an arrangement desirable. It shall further be competent to the Governor General in Council similarly to authorize the several Members of the said Board, separately to exercise at the same time and within the same limits, such part of the said duties, powers and authority as it may from time to time be judged proper to assign to each respectively, whenever for the greater dispatch of business or other cause, it may appear advisable to divide the business of the Board, or to assign any special duty to any Member separately: provided however, that if a Member exercising singly, as above, the duties, powers and authority of the Board, or any part thereof, shall in any case be of opinion that any decision or order of a collector ought to be reversed or altered, he shall not pass any final order on the case, without the concurrence of one or more of the other Members, unless otherwise specially directed and authorized by Government: provided further that it shall not be competent to a single member of a Board to reverse or alter a decree or order passed by any other member: provided also that no settlement of the land revenue, whether in perpetuity or for a term of years, shall be or be held final

Proviso—no single Member to reverse or alter a Collector's order.

Except authorized by Government, nor to reverse or alter a decree or order passed by any other Member.

No settlements whepher temporary or terpetual to be binding, unless confirmed by the Governor General in Council.

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and binding upon Government, unless the same shall have been formally confirmed by the Governor General in Council.

Second. Whenever two members of a Board shall jointly or separately have considered any question, if a difference of opinion shall arise between them, the decision of the question shall be postponed, and the case shall be referred to a third member, permanent or provisional, in such mode as may from time to time be directed by Government, and shall be determined according to the majority of voices.

Rule defining the course of proceeding in cases where a difference of opinion may arise.

Third. In regard to the appointment, removal or punishment of the native officers of Collectors of land revenue or other functionaries subordinate to the Boards, a single member vested as above with authority separately to exercise the powers of the Board or any part thereof, shall, within the limits of his authority, be competent to proceed in the same manner as the Board collectively are authorized to proceed: Provided that in any such case, if a Member of the Board acting singly, shall differ in opinion from a Collector or other functionary immediately subordinate to them, he shall not, unless otherwise specially authorized by Government, pass any final order, without the concurrence of one or more members of the Board.

A single member, when vested with separate authority, declared competent to proceed in the same mode as the Board collectively are authorized in regard to the appointment, removal or punishment of Collector's native officers.

Proviso in cases where a difference of opinion may arise

Fourth. No final orders regarding the appointment, removal or punishment of officers belonging or immediately subordinate to the Board, shall (unless otherwise specially directed by the Governor General in Council) be issued without the concurrent judgment of two or more members.

Two members necessary to appoint, remove or punish officers of the Board, unless authorized by Government.

Fifth.

Single members, when vested with separate authority, declared competent to suspend any officer.

Fifth. Single members exercising separate authority as above, shall be competent to suspend any officer under their authority, in like manner as the Board collectively may do: but all orders regarding the suspension of any such officer, passed by a single member, unless in confirmation of an order or recommendation of a Collector or other intermediate authority, or unless specially authorized by the Governor General in Council, shall be reported without loss of time to some other member, and shall be liable to be set aside by the decision of a majority of the Board.

But the order for such suspension, unless in special cases, to be reported to some other member of the Board, who if a majority agree, may set it aside.

Board when applied to may revise, rescind and alter their decisions provided that such applications be made within three months, or sufficient cause shewn for delay.

Sixth. The Boards are authorized to review, rescind, alter, or confirm any order and decision passed by them collectively, or by any member exercising as above separate authority, if an application to that effect be made to them by any party interested in the case, within the period of three months from the date on which the order or decision may have been passed, or good and sufficient cause shewn for a further delay, and if from the documents exhibited, the case shall appear to merit further investigation. But no order or decision passed by a single member exercising separate authority shall be reversed, altered or staid, excepting on the concurrent judgment of two or more Members.

Orders or decisions passed by a single Member when vested with separate authority, not to be reversed or altered unless two or more members concur.

Provision in cases when the Members of the Board differ in opinion and the voices on each side are equal.

Seventh. To provide for cases wherein the members of the Board shall not agree in opinion, as to the decision or order to be passed in any case, and wherein the voices on each side may be equal, it shall be competent to the Governor General in Council to appoint one or more temporary or provisional members, who shall in regard to the investigation and determination of the questions so in dispute, have and exercise

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the same powers and authority as if they ordinarily belonged to the Board, and if a difference of opinion as aforesaid shall arise between two members of the Board holding joint sittings, at any place where a temporary or provisional member may be stationed, the other permanent member or members of the Board being absent, it shall and may be lawful for them, without reference to such absent member, to submit the question in dispute to the provisional member, and to issue orders in conformity with the opinion which he may support.

A. D. 1822. REGULATION IV.

A REGULATION *to provide for the more effectual administration of Criminal Justice in certain cases :*—PASSED *by the Governor General in Council on the 29th March* 1822, *corresponding with the* 17*th Choite* 1228 *Bengal Era, the* 22*d Choite* 1229 *Fussily; the* 18*th Choite* 1229 *Willaity; the* 7*th Choite* 1879 *Sumbut; and the* 4*th Rajeeb* 1237 *Higeree.*

THE Regulations in force containing no provision for enabling the Judges of the Nizamut Adawlut to acquit a prisoner, notwithstanding his conviction by the futwa of their law officers, and certain distinctions of the Mahomedan law, evidently repugnant to the principles of equal justice, not having been hitherto rectified by any special enactment, the

Preamble.

the following rules are accordingly enacted, to provide for the cases referred to.

Power vested in two or more Judges of the Nizamut Adawlut to pass sentence of acquittal, notwithstanding a futwa of conviction by the law officers of that Court.

II. Whenever two or more Judges of the Nizamut Adawlut, on a deliberate consideration of any futwa of their law officers, convicting a prisoner, may consider such prisoner to have been convicted on insufficient or unsatisfactory evidence, it shall be competent to the said Judges to acquit the prisoner.

How the Judges are to proceed, in cases when the heir of a slain or injured person may refuse to prosecute.

III. In all cases of murder, mutilation or severe personal injury, in which the heir of the slain, or the person injured, may refuse to prosecute, the law officers of the Nizamut Adawlut shall be called on to declare, what the futwa would have been, in the event of their having prosecuted; and the Judge or Judges sitting on such trial shall pass sentence under the general Regulations, and on a consideration of all the circumstances of the case, the same as if the parties had come forward to prosecute.

How the Judges are to proceed, in the case of a prisoner who, subsequent to the perpetration of a crime and prior to conviction, may exhibit symptoms of derangement.

IV. The circumstance of supervening insanity, subsequent to the perpetration of a crime, at a time when no degree of derangement existed, and prior to the conviction of the prisoner for such crime, having been declared by the law officers, in a case of murder, to bar all capital or discretionary punishment, and to subject such person to Deyut only in all such cases, viz. of a prisoner's being afflicted with insanity subsequent to the commission of any crime, and of his subsequent perfect recovery, the law officers of the Nizamut Adawlut shall be called on to declare, what the futwa would have been, if such derangement had not intervened, and the Judge or Judges sitting

on

on the trial shall pass sentence under the general Regulations, and on consideration of all the circumstances of the case, the same as if no such malady had happened to the prisoner.

Judges how to proceed in cases when circumstances occur which the law officers consider justificatory, and plead them in lieu of capital or discretionary punishment.

V. It having been found, that, in certain cases of murder, the justificatory plea, that the person murdered was the mistress or relation of the prisoner, and detected in criminal intercourse with another man, or that the murdered man was found in criminal intercourse with the prisoner's mistress or relation, or, generally speaking, detected in fornication, has been upheld by the law officers in bar of capital or discretionary punishment, and has been declared to subject such prisoner to Deyut only, it is hereby enacted that the law officers of the Nizamut Adawlut shall be called on to declare in such cases what the futwa would have been, if such plea had not existed, and the Judge or Judges sitting on the trial shall pass sentence under the general Regulations, and on consideration of all the circumstances of the case the same as if no such plea had existed.

Courts of Circuit and Nizamut Adawlut how to proceed, in cases when prisoners for certain offences are declared by the law officers liable to Hukoomuti Adul only.

VI. In many cases of corporal injury, extending even to Mayhem, it has been found that the law officers on the full conviction of the prisoners declare them liable to Hukoomuti Adul only, or a just award, which is construed by them to mean, payment by the prisoner of the expences incurred for medicines and medical attendance by the party injured, and such reparation being considered wholly inadequate, it is hereby enacted that the Judges of Circuit shall, under such futwa, be competent to pass sentence of imprisonment for any period not exceeding seven years, with power to refer the record to the Nizamut Adawlut, in any case in which they may deem

that

that degree of punishment inadequate; and on the receipt thereof the Nizamut Adawlut, after requiring a further futwa from their law officers, shall pass sentence of imprisonment for such limited period of time, as under all the circumstances of the case may be equitable and just.

The provisions contained in Section IV. Regulation XVII. extended to cases in which a futwa of the law officers may declare the legal punishment barred by doubts of the prisoner's sanity when he committed the act charged.

VII. It is hereby declared, that the rule contained in Section IV. Regulation XVII. 1817, empowering two or more Judges of the Nizamut Adawlut to convict and punish a prisoner charged with a criminal offence, in opposition to the acquittal of their law officers, shall be considered to extend to any case in which the futwa of the law officers of the Nizamut Adawlut may declare the legal penalty, or punishment generally, barred by reason of a doubt as to the prisoner's sanity when he committed the act charged; provided two or more Judges of the Nizamut Adawlut, on due consideration of the evidence in such case, shall be satisfied, that there is no sufficient ground to believe that the prisoner was insane when he committed the act so charged, and that he is a proper object of punishment.

Proviso.

A. D. 1822. REGULATION V.

A REGULATION *for amending certain provisions of Regulation IX.* 1808.—*Passed by the Governor General in Council on the* 13*th June*, 1822, *corresponding with the* 32*d Jeyte* 1229 *Bengal Era; the* 9*th Jeyte* 1229 *Fussily; the* 1*st Assar* 1229 *Willaity; the* 9*th Jeyte* 1879 *Sumbut; and the* 22*d Ramzan* 1237 *Higeree.*

Preamble.

THE rules of Regulation IX. of 1808 provide, with respect to any person proclaimed under the third Section on a charge of Dekoity, that if such person do not surrender himself, or appear before the local Magistrate, within the period limited in the proclamation, he shall, on the fact of contumacy being established, be presumed guilty of the crime (Dekoity), with which he is charged, and in consequence be liable to a sentence of imprisonment and transportation for life.—The rules of the Regulation in question require expressly, that the individual should be brought to trial on the charge of contumacy, and they further recite and declare, that he may be also brought to trial for any specific offence

other

other than that for which he was proclaimed. It however has been found that in some instances in which the proclamation has been resorted to against persons charged with Dekoity, such persons, by having been adjudged guilty of the contumacy and sentenced to the extent authorized by Regulation IX. 1808, viz. transportation for life, have thereby escaped a capital sentence, which was apparently called for by reason of the Dekoity, they were presumed to have been concerned in, having been attended with murder. It has accordingly been deemed advisable to declare that any person proclaimed for Dekoity under the provisions of Regulation IX. 1808, may be brought to trial for the crime, for which he was proclaimed, and not for the contumacy, if it shall appear advisable so to proceed against him.—The following Rules have been accordingly enacted, to be in force from the date of their promulgation.

Parts of Regulation IX. 1808, modified

II. *First.* Sections III. VI. VII. VIII. and X. of Regulation IX. 1808, are hereby modified as follows.

Proclaimed persons declared liable to be tried on the original charge, as well as for contumacy in not surrendering on proclamation.

Second. It is hereby declared, that, in the case of any individual proclaimed under the provisions of Regulation IX. 1808, the fact of his being guilty of contumacy in not appearing within the period limited in the proclamation, shall not prevent his being brought to trial on the charge which led to the proclamation, and being proceeded against on such charge according to the Mahomedan law and regulations, if it shall appear advisable that he be brought to trial on such charge, and not for his contumacy in not appearing to answer to it.

III.

III. It shall rest with the Superintendent of Police, on communication from the Magistrate, to decide on which of the two charges, viz. the contumacy or the original offence, a proclaimed person shall be brought to trial.

Option vested in the Superintendent of Police in such cases.

IV. If a proclaimed person shall have been brought to trial for the contumacy, and acquitted on that charge, there shall, in the case of such acquittal, be no bar to his being brought to trial *de-novo* for the offence on account of which he was proclaimed; but in the case of such person being brought to trial for the offence on account of which he was proclaimed, and acquitted on that charge, he shall not be liable to any trial *de-novo* for the contumacy.

Proclaimed persons when tried for contumacy and acquitted, declared liable to be tried *de-novo* on the original charge, but not vice versa.

A. D. 1822. REGULATION VI.

A REGULATION *to establish a Court of Wards for Benares, and to define and explain certain of the Rules regarding the powers and jurisdiction of the several Courts of Wards:—* PASSED *on the* 1*st of August* 1822*; corresponding with the* 18*th Sawun* 1229 *Bengal Era; the* 28*th Sawun* 1229 *Fussily; the* 19*th Sawun* 1229 *Willaity; the* 14*th Sawun* 1879 *Sumbut; and the* 12*th Zekaad* 1237 *Higerec.*

Preamble.

THE rules for constituting and for fixing the jurisdiction of the Court of Wards contained in Regulation X. 1793, extended to the ceded and conquered provinces by Regulation LII. 1803, and Section XXIX. Regulation VIII. 1805, and to Cuttack by Section XXXVI. Regulation XII. 1805, have never been extended to the province of Benares, though such extension was obviously intended, and is distinctly alluded to in Clause the Seventh, Section VII. Regulation V. 1795. Moreover the original rules for the management of the estates of minors, and other disqualified persons, over which the Court of Wards have jurisdiction, provide only for the appointment

appointment of a manager from amongst the relations, connections, or principal servants of the minor's family, to collect the rents and otherwise manage the estate under the general authority of the Court of Wards. This system of management was early abandoned in the case of the less valuable Estates, where the expence incident to the system was found to consume the profits, and the Court of Wards were authorized in such cases to adopt at their discretion any mode of management they might judge fit. Subsequently the managers were declared to be merely ministerial officers of the Collector, by whom they were directed to be chosen, under the instructions of the Board of Revenue, without any regard to their connection with the proprietors. The Revenue authorities were thus virtually vested with full powers of managing ward estates as might appear best, and the Court of Wards, finding the charges of mofussil management by the said officers to be generally inordinate, obtained the authority and instructions of Government to substitute the system of farming in all ordinary cases. This system, which was adopted and pursued with a view to the interests of the minors, has now prevailed for a period of 18 years. Nevertheless the terms in which the discretion of dispensing with a manager is vested in the Court by legislative enactment, have led to doubts of the legality of the practice of farming, as applied to extensive or profitable estates; it has accordingly been deemed necessary to declare by a specific enactment the competency of the Court of Wards to exercise generally a discretion in regard to the management of estates under their charge, and further to declare the legality of farms heretofore made under their authority. It is moreover expedient to enable the Courts of Wards to refrain from interfering with the estates of minors or other disqualified proprietors, in cases wherein

wherein they deem their interposition unnecessary or inexpedient: the following rules have accordingly been enacted, to be in force as provided therein, from the date of their promulgation.

II. Regulation LII. 1803, with the addition contained in Section XXIX. Regulation VIII. 1805, is hereby extended to the province of Benares, and the Board of Revenue for the central provinces is constituted a Court of Wards for that province, under the above rules as hereinafter modified and explained.

Regulation LII. 1803, and part of Regulation VIII. 1805, extended to Benares, and the Board of Revenue for the central Provinces constituted a Court of Wards, for that Province.

III. *First.* The several Courts of Wards established within the territories subject to the Presidency of Fort William, are hereby declared competent to farm estates falling under their jurisdiction for a term not exceeding ten years, or to adopt such other form of management, not involving an assignment of the minor's interests for a period exceeding the above, as may in their discretion seem most expedient; any thing in the existing Regulations to the contrary notwithstanding. It is hereby further declared and provided, that all farms heretofore made by, or in pursuance of orders from the Courts of Wards, whether under the special authority of the Governor General in Council, or under the Court's own construction of its general powers, shall to all intents and purposes be held and considered to be legal and valid, and no exception shall be taken, or allowed by any Court of Justice against such farms, on the ground of there having hitherto been no rule in any Regution published according to the provisions of Regulation XLI. 1793 specifically authorizing the practice.

The several Courts of Wards vested with a discretionary power to farm estates for ten years, or to adopt any other plan of management not involving a longer assignment.

Farms of Lands heretofore made under orders from the Court of Wards declared legal and valid, and to be so considered by the several Courts of Justice.

Second.

Farmers, &c. holding lands under the Court of Wards, declared subject to the same rules as are applicable to persons in possession of similar tenures under the Collectors of Revenue.

Second. Farmers and others holding under the revenue authorities in their capacity of Courts of Wards, shall be subject to the same rules and regulations as are applicable to other persons holding similar tenures and interests under Collectors of the land Revenue.

Courts of Wards authorized to refrain from interfering with estates in cases when their interference may appear unnecessary.

Proviso, against the Sale of a minor's estate for arrears.

Revenue Officers, may farm in such case, and Court of Wards, competent to assume charge at any time during minority.

IV. The several Courts of Wards are hereby vested with a discretion to refrain from interfering with the estates of minors, or other disqualified proprietors in cases wherein they may deem their interposition unnecessary or inexpedient—provided, however, that no estate, the sole property of a minor, and descended to him by the regular course of inheritance, shall, during his minority, be sold for arrears of revenue accruing subsequently to his accession to the same: But the revenue authorities shall, on an arrear so accruing, be authorized to farm the estate for a period not exceeding ten years, and it will of course be competent to the Court of Wards, to assume charge of such estates at any time during the minority of the proprietor, notwithstanding they may have originally refrained from interfering.

BENGAL SECRET LIBRARY

A. D. 1822. REGULATION VII.

A REGULATION *for declaring the principles according to which the settlement of the Land Revenue in the Ceded and Conquered Provinces, including Cuttack, Puttaspore and it's dependencies, is to be hereafter made, and the powers and duties belonging to Collectors or other Officers employed in making, revising or superintending settlements: For continuing, with certain exceptions, the existing leases within the said Provinces for a further term of Five years; for defining, settling and recording, the rights and obligations of various classes and persons possessing an interest in the Land, or in the rent or produce thereof; and for vesting the Revenue authorities with judicial cognizance in certain cases of suits and claims relating to land, the rent and produce of land:*—PASSED *by the Governor General in Council on the* 8th *August* 1822, *corresponding with the* 25th *Sawun* 1229 *Bengal Era; the* 5th *Sawun* 1229 *Fussily; the* 26th *Sawun* 1229 *Willaity; the* 6th *Sawun* 1879 *Sumbut; and the* 19th *Zekaad* 1237 *Higera.*

WHEREAS

A. D. 1822. REGULATION VII.

Preamble.

WHEREAS the existing settlement of the land revenue in the Ceded Provinces will expire with the present Fuslee year, and it has therefore become necessary to declare and enact the principles and rules according to which the demand of the State is thereafter to be regulated, and the manner in which future settlements and revisions of settlements are to be conducted ;—and whereas, a moderate assessment being equally conducive to the true interests of Government and to the well being of it's subjects, it is the wish and intention of Government, that in revising the existing settlement, the efforts of the revenue officers should be chiefly directed, not to any general and extensive enhancement of the jumma, but to the objects of equalizing the public burthens, and of ascertaining, settling and recording the rights, interests, privileges and properties of all persons and classes owning, occupying, managing or cultivating the land, or gathering or disposing of it's produce, or collecting or appropriating the rent or revenue payable on account of land, or the produce of land, or paying, or receiving any cesses, contributions or perquisites to or from any persons resident in, or owning, occupying or holding parcel of any village or mehal ;—and whereas, with these views and intentions, the Governor General in Council has considered it to be expedient and proper, with the exception hereinafter specified, to continue the existing assessment in all cases in which the settlement has been formed with zemindars or other persons acknowledged as proprietors or possessors of a permanent interest in the mehal for which they may have engaged, until a new settlement can be made, combining with the revision of the Government jumma and the deliberate investigation of the facts, by the determination of which it's amount must be regulated,

regulated, a full inquiry into, and a careful settlement of the rights and interests of all classes connected with the land;—and whereas the same principles are applicable to the district of Cuttack, the pergunnah of Puttaspore and it's dependencies, of which the settlement will expire with the present Umlee year; and whereas it has appeared expedient to make special provision for the early settlement of the district of Goruckpore, the Chucla of Azimgurh, the pergunnah of Puttaspore and it's dependencies;—and whereas it is also advisable to provide for the revision of the settlement of the Conquered Provinces and of the province of Bundlecund, pending the continuance of the existing leases;—and whereas it is the desire of Government that the proceedings held and the records formed by the Collectors, when making settlements or otherwise specially employed in conducting enquiries of the above nature, should be such, as that all demands, claims and suits may be adjudged and determined according to the facts therein stated, until the same shall have been formally altered, or it shall be shewn by the result of a full investigation in a regular suit, that the proceeding or record of the Collector was erroneous or incomplete;—and whereas it is necessary to declare and define the powers and authority to be vested in Collectors in the conduct of the said inquiries, and the adjustment of the differences arising out of, or made known by them;—and whereas it further appears advisable that the revenue officers should, in certain cases, be vested with authority judicially to receive, hear, investigate and determine suits, claims and demands of the above description;—and whereas it appears to be expedient, to declare and explain the views and intentions of Government relative to the rights to be enjoyed and exercised by the sudder malgoozars, or

persons

persons admitted to engage for the payment of the Government revenue, and by persons collecting the rents of the land or revenue of Government, without being subject to the payment of any portion of it to the public treasury, such as Jagheerdars and other owners or managers of lakheraj lands, and it is particularly necessary in the case of estates held in Putteedaree or Bhyachara tenure to make further provision for protecting the sharers who have not been admitted to engagements with Government, against the encroachments of the sudder malgoozar, and likewise to secure the latter against the consequences of the embezzlement or misappropriation by the former, of the funds whence the Government revenue ought to be discharged.

For the purposes and objects above specified, the following rules have been enacted, to be in force from the date of their promulgation, throughout the Ceded and Conquered Provinces, in the district of Cuttack, the Pergunnah of Puttaspore, and it's dependencies.

The existing settlement in the Ceded Provinces to be extended in certain cases for a further period of five years.

II. *First.* The existing settlement of the land revenue in the Ceded Provinces, with the exception hereinafter specified, shall in all cases in which it may have been concluded with Zemindars or persons acknowledged as the proprietors or possessors of a permanent interest in the mehal for which they have engaged, continue in force until the expiration of the year 1234 Fuslee; subject to the following provisions.

So also the settlement in Cuttack.

Second. In like manner and subject to the same provisions, the existing settlement of the land revenue in the district of Cuttack shall, in all cases wherein it may have

been

been concluded with persons of the above description, continue in force until the expiration of the year 1234 Umlee.

Third. The Board of Commissioners in the Ceded and Conquered Provinces and the Commissioner in Cuttack, having under instructions from the Governor General in Council, caused proclamations to be issued in the several districts under their authority, declaring the resolution of Government to extend the existing leases as above, and requiring all zemindars and other persons aforesaid, who might be unwilling to continue their engagements for a further period of five years, to notify the same to the Collector of the zillah, the said proclamations are hereby sanctioned and confirmed; and all zemindars and other persons aforesaid who shall not have made a notification to the effect and within the period thereby required, shall be held and are hereby declared to be responsible for the same revenue for each of the ensuing five years, viz. until the expiration of the year 1234 Fuslee, or 1231 Umlee as the case may be, as may be demandable from them on account of the present year.

Proclamations issued by the Revenue Boards and Commissioners, notifying the proposed extension of the settlement, sanctioned and confirmed.

Zemindars failing to notify their intention to relinquish their lands under the said proclamations, shall be held responsible for the payment of the present jumma, during the ensuing five years.

Fourth. The districts of Goruckpore and Azimgurh are excluded from the operation of the rules contained in the preceding clauses of this Section: The zemindars and other persons aforesaid within the said districts shall be allowed to hold, from year to year, the mehals for which they may now be under engagements, subject to the payment of the jumma demandable on account of the present year, until the revenue officers shall be prepared, to commence a careful revision of the settlement of their respective

Goruckpore and Azimgurh excluded from the operation of the foregoing clauses.

Zemindars of these districts to hold on from year to year, until a new settlement shall be made.

respective estates; and all engagements into which such zemindars and other persons may have entered, or shall enter, with the local revenue authorities for continuing their present leases as aforesaid, are hereby confirmed.

The existing leases in Puttaspore and it's dependencies, to be similarly continued from year to year.

Fifth. In like manner the zemindars and other persons aforesaid within the Pergunnah of Puttaspore and it's dependencies, shall similarly be allowed to hold, from year to year, the mehals for which they may now be under engagements, until a proper settlement of the same can be made.

General rule relative to zemindars holding on, after the expiration of their leases.

Sixth. Provided also, that it be hereby declared and enacted as a general rule, that if any zemindar or other malgoozar as aforesaid, who may now or hereafter be under engagement for the payment of the revenue demandable by Government on account of any mehal, shall be allowed by the revenue authorities to continue in the management of such mehal after the expiration of such engagement, and shall do or direct any act relative to the cultivation or management of such mehal, or the settlement, assessment or collection of the rents of such mehal, in, or on account of any year subsequent to the term of such engagement, such zemindar or other malgoozar aforesaid shall be held to be responsible on account of such year for the same revenue as may have been demandable from him for the year preceding, unless otherwise specially agreed upon. Provided further, that it shall be competent for Collectors or other officers exercising the powers of Collectors, with the sanction of the Board, or Commissioner to whom they may be subordinate, at any time, not being more than six months previous to the expiration of a settlement,

Collectors authorized, with the sanction of the Board, to require zemindars to state, whether they are willing to continue their engagements.

to

to call upon the zemindars or other malgoozars, as aforesaid, to declare, whether or not they are willing to continue their engagements for the ensuing year; and if such zemindars or other malgoozars shall not forthwith notify their refusal to do so, they shall be held to have agreed to such an extension of their leases at the existing assessment, and so on, from year to year, as aforesaid. Zemindars or other malgoozars who may be allowed to hold on from year to year, shall not be chargeable with any additional revenue on account of any year, unless the Collector or other Officer exercising the powers of Collector, shall notify his intention to revise the assessment, on, or before the commencement of such year, unless where otherwise specially provided.

Zemindars allowed to hold on, shall not be chargeable with additional revenue, excepting in certain cases.

III. With respect to estates which are at present let to farm, a settlement thereof shall be made on the expiration of the existing leases for such a period as the Governor General in Council may direct: A preference shall be given to the zemindars or other persons possessing a permanent property in the mehals, if willing to engage for the payment of the public revenue on reasonable terms: Provided also, that in cases wherein such mehals may be let in farm, the term of the lease granted to the farmers shall not exceed twelve years. The above rules shall likewise be applicable to estates now held khas. So in any case wherein the Zemindars and other proprietors may refuse to continue their existing engagements, or to enter into new engagements on equitable terms, it shall be competent to the revenue authorities to let the lands in farm, for such period not exceeding twelve years, as the Governor General in Council shall appoint, or to assume the direct management of them, and to retain them under khas management during

For estates held khas.

For estates of recusant zemindars.

Cases in which zemindars may be excluded from, or deprived of the management of their estates.

during the period aforesaid, or such shorter period as may be judged proper. Provided further, that if in any case it shall appear to the revenue authorities, that the continuance or admission of any rajah, zemindar, talookdar, or other person, who may have engaged, or may claim to engage for any mehal or mehals, in, or to the management of such mehal or mehals, would endanger the public tranquillity, or otherwise be seriously detrimental, it shall be their duty to report the circumstance to Government, and it shall be competent to the Governor General in Council, by an order in Council, to cause such mehal or mehals to be held khas or let in farm, for such term as may appear expedient and proper, not exceeding the period above specified.

The admission of particular parties to engage for the payment of the public revenue, shall not bar the revenue officers from interfering to adjust the rights of other persons or classes.

IV. In admitting particular parties to engage, it was in no degree the intention of Government to compromise private rights or privileges, or to vest the sudder malgoozars with any rights not previously possessed by them, excepting in so far as their interest in the land for which they may have engaged, might be improved by the limitation of the Government demand, or otherwise by the resignation in their favor of rights previously vested in Government itself, or as it may have been found necessary with a view to the punctual realization of the public dues, to vest the sudder malgoozar, by special regulation, with authority of distraint, or other powers of coercion over the under-tenants. On the contrary, it is the anxious desire of Government, and the bounden duty of it's officers, to secure every one in the possession of the rights and privileges which he may lawfully possess, or be entitled to possess. In pursuance of this principle, it is hereby declared and enacted, that nothing in the above provisions for

extending

extending the existing leases, or in the stipulations of the existing settlements, do or shall be construed to bar the revenue officers duly empowered in that behalf, from interfering to adjust the respective rights of the sudder malgoozars and their under-tenants; nor shall any claims to a remission or abatement of revenue be admitted on the ground of any decision or order passed in that behalf, but if such decision or order shall operate materially to reduce the profits derived by any zemindar or malgoozar from the mehal owned or managed by him, it shall be competent for such zemindar or malgoozar to relinquish his engagements, and the revenue officers shall in such case proceed to make a settlement of the mehal de novo.

But if the profits of any zemindar be materially reduced by any order or decision of such officer, he shall be at liberty to relinquish his engagements.

V. *First.* The provisions contained in the existing Regulations, regarding the allowance to be made to zemindars and other malgoozars who may be excluded from the management of mehals owned or claimed by them, whether as malikana or nancar, are hereby rescinded.

Existing provisions relative to malikana and nancar rescinded.

Second. The proprietors of estates let in farm or held khas shall be entitled to receive an allowance of malikana, at such rate as the Board of Commissioners, or other authority exercising the powers of that Board, may determine; any thing in the existing Regulations notwithstanding: the said malikana to be apportioned in cases in which several proprietors may have heretofore held an estate under one common assessment, whether in joint tenancy or otherwise, according to the shares of each respectively; Provided also, that the malikana allowance granted to the proprietor or proprietors of any mehal, shall not in any case be less than five per cent. on the net amount realized by Government from the lands; nor shall it exceed

Malikana to be allowed to proprietors of estates farmed or held khas.

How to be apportioned among several proprietors.

Not to be less than five, nor without special sanction of Government, more than ten per Cent. on the Government jumma.

* See Sec XI. Regn. IX. 1833. — such Malikana to have for effect only — & applicable solely to settlements made under this Regn. — K

exceed ten per cent. on that amount without the special sanction of the Governor General in Council. Provided further, that if the said proprietors shall in any case be in the receipt of any perquisite or the profits of any lands in lieu of the nankar formerly granted to them by the Native governments, or otherwise in consideration of their proprietary tenure, the amount of such allowance shall be deducted from the malikana to which they are by this Section declared to be entitled: Provided also, that this rule shall not apply to such zemindars as may continue in the occupancy of their tenures, whilst the mehal in which they are included is held khas or farmed, or of any part of them, that is to say, zemindars who may cultivate or lease their lands, and pay the revenue to the farmer or Government officer; nor without the special sanction of Government to any malgoozar, zemindar or other proprietor or holder of land who may directly or indirectly continue to draw any allowance from the ryots of the lands farmed or held khas: Provided also, that malgoozars not being actual proprietors of the land included in the estate for which they may have formerly been under engagements, though recorded in the accounts of past settlements as zemindars, talookdars or the like, or being proprietors of a part only of such land, shall not receive the above allowance on the jumma of the estate, but shall receive such allowance in lieu of their title of management, as it may appear to Government to be equitable to assign, in addition to the malikana to which they may be entitled on account of any lands held by them in actual property, and of which they may not retain the occupancy: and no malikana shall be granted to any sudder malgoozar on account of lands, the occupants of which may deny his right of property, until he shall have established his right by a regular suit in

Subject to what deduction.

No malikana allowance under this rule to be granted to zemindars, who may continue to occupy their lands under the farmer or Government Officer.

Nor without special sanction to zemindars making collections from the ryots.

Provision for the case of malgoozars not proprietors, or only part proprietors of the mehals for which they may have been under engagements.

in a court of justice, or to the satisfaction of the Board. But in such cases, such provision will be made for the intermediate support of the party, as the Governor General in Council may, on the recommendation of the Board, see fit to direct.

Third. Provided also, that if any zemindar or sudder malgoozar shall have been called upon by a Collector, or other officer exercising the powers of a Collector, to state the highest amount of jumma, for the payment of which, he may be willing to engage, and shall have stated the same accordingly; the sum so stated by such zemindar or sudder malgoozar, and not the jumma ultimately realized by Government, shall form the basis on which his malikana allowance shall be adjusted, and in such case, it shall and may be lawful for the revenue authorities to limit the said allowance to five per cent. on the said sum, or to a portion thereof, according to the extent of the proprietary interest possessed by the said zemindar or sudder malgoozar. Provided also, that if a zemindar or sudder malgoozar when so called upon shall fail to specify or tender any sum as aforesaid, then, and in that case, the net revenue derived by Government from the mehal on account of the year preceding that in which the Collector or other officer aforesaid may make the said requisition, shall be taken as the sum by which the amount of malikana (not being less than five, nor more than ten per Cent. on the same) shall be adjusted.

Zemindars may be called upon to state the jumma for which they may be willing to engage, and their malikana allowance may be adjusted according to the amount tendered by them.

Or by the net revenue of the preceding year, if no tender be made.

VI. *First.* In cases wherein the existing engagements may be continued under the rule contained in Section II. of this Regulation, it shall and may be lawful for the Collectors, with the sanction of the Board of Commissioners, to enter, at any time in the course thereof, on a revision of the settlement,

Revenue Officers may revise settlement of estates, of which the existing leases shall be extended under Section II. during the continuance of such extended lease.

settlement, notwithstanding such continuance of the existing leases, and to adopt such measures as may be requisite for ascertaining and determining the extent and produce of the lands and the amount of jumma properly demandable therefrom, and for procuring and recording the fullest possible information in regard to the rights, interests, privileges and properties of the agricultural community; and to determine the same with the same powers and authority as they now are, or may hereafter be entitled to exercise, in forming the settlement of estates open to reassessment.

Revision of settlement how to be made.

Second. The said revision of the settlement shall be made village by village and mehal by mehal, and such number of mehals shall be revised in each year as the Board, under the orders of the Governor General in Council, may direct.

Revision of settlement shall not operate to alter the amount of the jumma payable on account of lands included in existing engagements.

Third. Such revision of the settlement shall not operate to disturb the existing engagements during the period for which they may be continued under the provisions of Section II. of this Regulation, in so far as such engagements relate to the amount of jumma demandable by Government: but the said engagements shall be held and considered to include only such villages and lands as may be specified in the proceedings or accounts of the settlement last concluded; and if on the revision of the settlement of any mehal it shall be found that there has been any material error or concealment of lands belonging to such mehal, the Collector shall be authorized, subject to the orders of the Board, separately to assess the lands so withheld from the knowledge of the revenue authorities, in the same manner and with the same powers as he would assess an unsettled mehal. Provided also, that nothing in

But lands withheld from the knowledge of the revenue officers at past settlements, may be separately assessed.

Revenue Officers revising settlements to exercise the same authority in adjusting

in this, or the preceding Sections, shall be construed to prevent the revenue officers from passing and enforcing such orders in regard to the rights and interests to be enjoyed by the different classes or persons connected with any mehal, during the period for which the existing settlement has been extended, as they may or shall be authorized to pass or enforce, when adjusting the assessment of an unsettled mehal.

the relative rights of individuals, as they may exercise when assessing a mehal open to re-assessment.

Fourth. It shall in like manner be competent to the Collectors in the Conquered Provinces, and in the Province of Bundlecund, to enter on a revision of the settlement under the provisions contained in the preceding Clauses of this Section, during the continuance of the existing leases.

Collectors in the Conquered Provinces to revise settlements during the continuance of the existing leases.

VII. *First.* When a Collector in the Ceded Provinces or in the Province of Cuttack shall have completed the revision of the settlement of any mehals under the rules contained in the preceding Section, it shall and may be lawful for him, subject to the orders of the Board of Commissioners and of Government, to grant to the proprietors, if willing to engage on adequate terms, renewed leases for such further term of years subsequent to the year 1234 Fuslee or Umlee, as the Governor General in Council may direct.

When revision of settlement completed, prolonged leases to be granted in the Ceded Provinces and in Cuttack, Putaspore and it's dependencies for years subsequent to 1234.

Second. The assessment to be demanded on account of the years subsequent to the year 1234 Fuslee, to which leases renewed as above may extend, shall be fixed with reference to the produce and capabilities of the land, as ascertained at the time when the revision of the settlement shall be made, unless under special circumstances justifying a prospective enhancement of

Jumma for years subsequent to 1234, how to be adjusted.

of the Government demand. Provided also, that the amount of such assessment shall not be raised above that of the present jumma, unless it shall clearly appear, that the net profits to be derived from the land by the zemindars and others who may be entitled to share in the profits arising out of the limitation of the Government demand, will exceed 1-5th of that amount: and in cases wherein any increase may be demanded, the assessment shall be so regulated as to leave the zemindars and others aforesaid a net profit of twenty per Cent. on the amount of the jumma payable by or through them respectively, no abatement on the existing jumma will be allowed, unless on the clearest grounds of necessity.

Pottahs granted on revised settlement only to cover Lands specified.

Third. The pottahs granted on such revised settlements shall be held only to secure the malgoozars from further demand during the term of their respective leases, on account of the lands specified in it, or described in the settlement roobakaree of the Collector, with such allowance for error as may be distinctly declared at the time of settlement. Zemindars and other persons entering into engagements will be required therefore to afford the fullest and most correct information in regard to the rucba of the mehals for which they may engage.

In Conquered Provinces likewise, renewed leases to be granted pending the present settlement for a term of years subsequent to it's expiration.

Fourth. In like manner it shall and may be lawful for Collectors in the Conquered Provinces and in the Province of Bundlecund, to grant renewed leases for a further term of years subsequent to the expiration of the existing settlement, subject to the same rules, restrictions and provisions, as are enacted in the preceding Clauses relatively to the Ceded Provinces.

Fifth,

Fifth. If any zemindar or other sudder malgoozar, the settlement of whose estate may be revised under the above rules, shall refuse to enter into suitable engagements for a further period beyond the term of the then current lease, or if after such revision, the revenue authorities shall under any other circumstances deem it expedient to postpone taking further engagements for the payment of the revenue of any mehals until the expiration of the current leases, it shall be competent to them to do so: and in such case, the several rules contained in Section III. of this Regulation, relative to estates of which the settlement will expire with the present year, shall on the expiration of the said leases be and be held applicable to such mehals.

Cases wherein the final settlement of estates shall after revision, be postponed until the expiration of the current leases.

Rules applicable to such cases.

Sixth. The same Rules shall also be applicable to the several mehals within the district of Goruckpore, the chuklah Azimgurh, the purgunnah Putaspore and it's dependencies, as they may respectively become, or be declared open for resettlement.

The same rules applicable to estates in Goruckpore, Azimghur, Putaspore, &c. as they may become open to re-settlement.

VIII. Where the waste land belonging to or adjoining any mehal, is very extensive, so as considerably to exceed the quantity required for pasturage or otherwise usefully appropriated, it shall be competent to the revenue officers to grant leases for the same, to any persons who may be willing to undertake the cultivation, in perpetuity, or for such periods as the Governor General in Council shall determine; and to assign to the zemindars or others who may establish a right of property in the lands so granted, an allowance equivalent to ten per Cent. on the amount payable to Government by the lessees, in lieu and bar of all claims to or in the waste lands

Waste lands may be disposed of by Government, under what conditions.

so granted, or such other perquisites or privileges as by the custom of the country they may appear in such cases entitled to receive.

Detailed investigations to be prosecuted by Collectors and other officers making or revising settlements.

IX. *First.* It shall be the duty of Collectors and other officers exercising the powers of Collectors, on the occasion of making or revising settlements of the land revenue, to unite with the adjustment of the assessment and the investigation of the extent and produce of the lands, the object of ascertaining and recording the fullest possible information in regard to landed tenures, the rights, interests and privileges of the various classes of the agricultural community. For this purpose, their proceedings shall embrace the formation of as accurate a record as possible, of all local usages connected with landed tenures, as full as practicable a specification of all persons enjoying the possession and property of the soil, or vested with any heritable or transferrible interest in the land or the rents of it, care being taken to distinguish the different modes of possession and property, and the real nature and extent of the interests held, more especially where several persons may hold interests in the same subject matter of different kinds or degrees. This record shall, in Putteedaree or Bhyachara villages or the like, include an accurate register of all the coparceners, not merely the heads of divisions, such as the Puttees, Thokes or Bahrees, but also as far as possible of every person who occupies lands, disposes of it's produce, or receives rent as proprietor, or as agent for one or more proprietors holding land and disposing of it's produce, or receiving the rents of it in common, with a detailed statement of the interior arrangements adopted by the brotherhood, for the distribution of the profits derived from sources common to the coparcenency,

Proceedings to embrace what particulars.

See Sept 11 - 1833.

coparcenency where any such exist, and for determining the share of the Government jumma, and of the village expences which each parcener is to contribute, or the other modes in which the engaging parcener or intermediate Putteedars and Behreedars collect from the cultivators. A record shall likewise be formed of the rates per beegah of each description of land or kind of produce, demandable from the resident cultivators, not claiming any transferrible property in the soil, whether possessing the right of hereditary occupancy or not, and the respective shares of the sudder malgoozar or other manager and the cultivator, in lands cultivated under Kunkoot, Bataie or similar engagements with a distinct specification of all cesses or extra collections made by the malgoozar or village manager or other. The names of all the village putwarees and village watchmen shall also be registered, with a statement of the amount and nature of the allowances assigned to them. And all lakheraj tenures shall be carefully recorded with a specification of the nature of the tenure. The information collected on the above points shall be so arranged and recorded as to admit of an immediate reference hereafter by the Courts of Judicature; it being understood and declared that all decisions on the demands of the zemindars shall hereafter be regulated by the rates of rent and modes of payment avowed and ascertained at the settlement, and recorded in the Collector's proceedings, until distinctly altered by mutual agreement or after full investigation in a regular suit: And all cesses or collections not avowed and sanctioned, nor taken into account in fixing the Government jumma, shall be held illegal and unauthorized, unless now or hereafter specially sanctioned by Government.

How far to be binding on the Courts of Judicature.

What cesses or collections to be held illegal.

Second.

Collectors and other Officers making settlement may grant pottahs to mofussil Zemindars and Ryots.

Second. Provided also that it shall be competent to Collectors and other officers as aforesaid (subject to the orders of the Board of Commissioners) to grant pottahs to the several mofussil zemindars and ryots or other owners or occupants of land for the land owned or occupied by them, specifying the amount to be paid by them, and all the conditions attaching to their tenure, and a register of all pottahs so granted shall form a part of the roobakaree of settlement.

In what case engagements for the revenue may be taken as heretofore, without a detailed mofussil settlement.

Third. Provided however that if from the number of estates, of which the leases may at once expire in any district, or from any other special cause, it shall be found necessary for the security of the Government revenue, to take engagements from any zemindar, malgoozar, or farmer, without completing the detailed enquiries above directed, it shall be competent to the Boards of Revenue or other authority exercising the powers of such a Board, to cause engagements for the revenue to be taken in the manner heretofore in use, reporting the circumstance to the Governor General in Council: But the term of the engagements so taken shall not exceed five years, and the rules relative to the revision of the settlements of mehals, of which the existing leases have been extended under the provisions of Section II. of this Regulation, shall be equally applicable to estates for which such engagements shall be taken.

Such engagements not to be granted for a term exceeding five years, nor to bar an intermediate revision.

In cases where several persons holding interests of different kinds may have separate properties in the same land, Government may determine which of such parties shall be admitted to engage for the public revenue.

X. *First.* Of several parties possessing separate heritable and transferrible properties in any parcel of land, or in the produce or rent thereof; such properties consisting of interests of different kinds: it shall be competent to the Governor General in Council to determine and direct which of such parties shall be admitted to engage for the payment of the

the Government revenue; due provision being made for securing the rights of the remaining parties: It is further hereby declared and enacted that it is, and shall be competent to the Governor General in Council, in confirming the settlement of any mehal in perpetuity or for a term of years, to determine and prescribe the manner and proportion in which the net rent or profit arising out of the limitation of the Government demand, shall be distributed among the different parties possessing an interest in the lands appertaining to such mehal, or in the rent or produce of such lands or mehal.

Provision to be made for the remaining parties.

Government will also determine the manner and proportion in which the net rent or profit arising out of the limitation of the public demand, shall be distributed among the different parties possessing properties in lands settled in perpetuity or for a term of years.

Second. In cases wherein any land appertaining to a mehal hitherto recognized as the talooka, zemindaree, or the like, of one or more sudder malgoozars, may be owned or occupied by other persons holding under the sudder malgoozar, and possessing an heritable and transferrible property therein, or a hereditary right of occupancy subject to the payment of a fixed rent, or of a rent determinable by a fixed principle, if the title of the said sudder malgoozar to engage for the revenue be upheld, and generally in cases wherein the tenure of an intermediate malgoozar or manager between the Government and the proprietors or hereditary occupants of the soil may be maintained, whether the Government revenue be collected from the zemindar, talookdar, or other hereditary intermediate malgoozar, or the mehal be farmed or held khas, it shall be competent to the Collector or other officer who may be employed in adjusting the jumma to be assessed on such mehal, with the sanction of the Board previously obtained, and subject to the orders and direction of that authority to make a mofussil settlement with each of the proprietors or occupants

Mofussil settlements to be made in cases wherein the title of an intermediate manager between Government and the proprietors or hereditary occupants of the soil may be maintained.

occupants aforesaid for the land possessed by him, and to grant such proprietors or occupants pottahs defining the condition on which they are to hold their land, whether subordinate to the sudder malgoozar or to the farmer or officer of Government employed in the khas management, and in all such cases, if engagements for the Government revenue of the mehal be taken from the intermediate hereditary malgoozar, the particulars of the mofussil settlement, when approved by the Board, shall be endorsed on the pottah to be granted to the sudder malgoozar, or shall be so incorporated with the engagement taken from him as to form part of the same.

Where several persons may hold a common property or properties subject to a common obligation.

Third. In cases in which two or more persons may possess a joint property in any village, mehal or parcel of land, or in the rent or produce of any village, mehal or land, or in any part of such village, mehal, land, rent or produce, the property of such persons consisting of interests of the same kind, whether of the same extent or otherwise, as well as in cases wherein such property in any mehal, village, land, produce or rent, may be separately possessed by parties subject by prescriptive usage to common obligations, whether existing or contingent, it shall be competent to the Collector or other officer exercising the powers of Collector, subject to the orders and direction of the Board and of the Governor General in Council, either to make a joint settlement with the parties collectively, or a majority of them, or with an agent appointed by them, or a majority of them, or to select one or more of them to undertake the management of the mehal as sudder malgoozars, due advertence being had to the wishes of all the coparceners, and to the past custom of the village or villages comprized in the mehal.

The Revenue Officers may make a joint settlement with or in behalf of the parties collectively, or of a majority of them.

Or may select one or more to manage the mehal as sudder malgoozars.

Fourth.

Fourth. When it shall be determined to make a joint settlement for any village, mehal or parcel of land, with the parties possessing therein a joint property as aforesaid, the Collector or other officer making the settlement shall give notice of his intention by a written proclamation to be stuck up in some public place within the village, mehal or land, and shall require all persons possessing therein a property as aforesaid, to attend, either in person or by representative duly authorized in the matter, within a reasonable period, at a stated place and time, and to declare their agreement or non-agreement to the jumma proposed to be assessed on the village or land.

When a joint settlement is to be made, parties how to be summoned.

Fifth. If any person or persons, when summoned as above, shall refuse, neglect, or omit to attend, either in person or by representative, such person or persons shall be held to be bound by the decision of the majority of those who may attend in agreeing or disagreeing to the jumma, and his or their interests and estate shall, unless otherwise specially allowed, be held responsible for the Government revenue, and be liable to sale in the event of any arrear accruing on account of the settlement.

Persons wilfully failing to attend when Summoned, to be bound by decision of the majority who may attend, and to be responsible for the revenue agreed to.

Unless otherwise specially provided.

Sixth. If any person or persons shall attend, and shall object to the jumma proposed to be assessed, then should a settlement be made with the other parties present, the objecting parties shall be left in the enjoyment of the same rights and interests, as they would enjoy in the event of the mehal being farmed or held khas; and in so far as regards the lands, to which such rights and interests attach, the other parceners, if their engagements be extended thereto, shall be considered farmers of the Government revenue, to hold the same under leases

In cases in which any of the parceners object to the jumma assessed, the engaging parceners shall be deemed to be farmers of the revenue of the lands belonging to the recusants, if their engagements extend to such lands.

leases of such term as may be determined and agreed upon under the general rules applicable to lands for which the proprietors may refuse to engage.

Proprietors cultivating lands of which the revenue may be collected khas or farmed, at what rates to pay rent.

Seventh. When any mehal or portion of a mehal held by a number of cultivating proprietors in Putteedaree or Bhyachara tenure or the like, shall be let in farm or held khas, the rent demandable from the proprietors of such mehal or portion of mehal on account of the land occupied and cultivated by themselves, shall be adjusted by the rates payable by ryots or other resident cultivators not having a heritable and transferable property in the soil, for lands of a similar description in the same or in the adjoining villages, with a deduction of five per cent. on account of malikana or such other rate, not being less than five per cent. as Government may determine.

When the settlement of a mehal held in common tenancy or subject to common obligation, shall be made with one or more of the parceners selected as manager or sudder malgoozar, on what terms the other parceners are to hold.

Eighth. When it shall be determined to make a settlement of a mehal of the above description with one or more of the parceners selected to manage, collect, and account for the public revenue as sudder malgoozar, then, and in that case, the interests of the non-engaging parceners shall not be held answerable for the default of the sudder malgoozars, save and except in so far as may be specifically provided. Such parceners shall, until regularly separated, continue to hold their lands as subordinate proprietors, subject to the payment of rent or revenue to the sudder malgoozar at the rates and in the mode heretofore in use, excepting in so far as that usage may be affected by the determination of Government in regard to the distribution of the net rent or profit derived from the limitation of the Government demand, or by the rules now in force, or hereafter to be enacted, for vesting the sudder mal-

goozars

goozars with specific powers over the subordinate tenants in the collection of the rent or revenue demandable from them. The responsibility attaching to the persons selected as sudder malgoozars, and the conditions under which they are to hold that title of management, will, in each case, be specifically declared at or after the time when the settlement is confirmed. The conditions and limitations under which the subordinate proprietors shall be admitted to separate engagements, will also be similarly declared.

Nature and conditions of the sudder malgoozar's tenures to be declared.

Ninth. Provided further, that in all cases wherein different parcels of land belonging to any mehal may be separately owned and occupied by different proprietors, or by different bodies of proprietors, it shall be competent to the Boards of Revenue, or other authority exercising the powers of that Board, to cause a separate settlement to be made for the land owned and occupied by each proprietor, or by each body of proprietors, and each parcel of land for which a separate settlement may be so made, shall be held exclusively responsible for the revenue assessed upon it. Provided also, that if the several parties possessing a joint property or separate properties subject to a common obligation as aforesaid, or any of them shall apply to a Collector or other officer making or revising a settlement, to have separate possession of their several share or shares in such joint property, or to be admitted to separate engagements, it shall be competent to such Collector or other officer, with the sanction of the Board, or other authority to which he may be subordinate, to make a partition of the property among the different parties according to their respective interests, and to make a separate settlement with each of them, or with such as may desire to enter into separate engagements.

Lands separately owned and occupied, tho' hitherto held as one mehal, may be separately settled.

Joint properties, or properties subject to a joint obligation: in what cases to be divided.

Tenth.

Proprietors tho' excluded from engagements may have their names registered.

Tenth. In all cases wherein any proprietors may be excluded from engagements, the Collector shall be careful to let it be known, that all persons possessing a property in the mehal, are entitled to have their names recorded in the roobukarçe of settlement, with the amount or rate of the assessment demandable from each.

Collectors forming such registry to proceed on the basis of actual possession.

XI. *First.* The Collector's proceedings in forming the registry above directed, shall be founded on the basis of actual possession, and that officer shall, in every instance, be careful to record the precise nature of the authority on which the entries in his books may be made. In conformity with the above principle, it shall be competent to the Collectors or other officers when making or revising settlements, or otherwise deputed to investigate and determine the circumstances of any mehal, and the nature of the tenures connected with it, to correct the errors or omissions of former settlements by admitting to engagements or entering on the public records, the names of persons found in the bonâ fide possession of land, or in the receipt of rent under a proprietary title, and in such cases, the Collector will hold an official proceeding, explaining fully the grounds on which he may act.

In Estates held under Putteedaree, Bhyachara or the like tenure, Collectors may in certain cases, make a fresh allotment of the revenue and charges payable by the several parceners.

XII. *First.* In cases in which the proportion of the Government jumma and village expences payable by each proprietor and by each body of proprietors comprized in the several Puttees, Behrees and other divisions of an estate held under Putteedaree or Bhyachara tenure or the like, may have been originally fixed on a measurement of the lands occupied by each, with reference to the quantity in cultivation, and may be liable by the usage of the country to periodical adjust-

ment

ment on the same principle, if the Collector or other officer making or revising the settlement shall be satisfied by examination of the putwaries' accounts or otherwise, that the contributions paid by any proprietor or body of proprietors as aforesaid, are materially in excess of the amount justly demandable from them, it shall be competent to him, with the previous sanction of the Board, to cause a new distribution to be made of the revenue and charges payable by each, with reference to the above principle and to such resolutions as Government may have passed relative to the apportionment of the net rent or profits arising out of the limitation of the Government demand, and in the performance of this duty to employ the canoongoe and such person or persons, as he may judge it advisable to appoint, and to settle the jumma payable by the different parties according to the award of such person or persons, or otherwise as shall appear to be just and equitable.

And in certain cases may make a fresh partition of the land.

Second. In like manner in cases in which the several proprietors shall be entitled, not only to an adjustment from time to time of the jumma payable on account of the lands occupied by them, but likewise to a periodical partition of the lands of the village with reference to the share recorded as belonging to each, it shall be competent to the Collector to cause a fresh partition of the lands and adjustment of the jumma to be made as above prescribed, and at the same time to fix and declare the period from which the arrangement as finally settled is to have effect, and to adjust the claims of the parties relative to the revenue intermediately paid by them as may appear equitable. Provided however, that no such partition or adjustment shall be final, until confirmed by the Board of Commissioners, or other authority exercising the powers of that Board,

Cases wherein parties affected by Collector's decision may contest it in the Adawlut.

Board: Provided also, that if any parties shall dispute the existence of the usage under which the partition of the lands shall have been made, and shall claim to be restored to possession of the lands which the Collector may have transferred to another, or shall consider himself entitled to the benefit of a new partition of the lands comprized in the mehal to which he may belong in any case in which the Collector may have refused to order it, it shall be competent to the said party, to bring a regular suit in the Zillah Court against the person or persons to whom the lands may have been transferred, or the person or persons who may resist the partition, to try the justness of the Collector's decision; but if the existence of the usage shall be admitted or established, it shall not be competent to the Courts of Judicature to question the accuracy of the partition of the land or adjustment of the jumma, and whenever the decision of a Collector for the partition of any land shall be set aside, it will of course belong to the revenue authorities to readjust the jumma with reference to the interests of the parties as defined and settled by the final decision of the Courts of Judicature, and to the conditions of the tenure, and to any general or special Resolution of Government relative to the distribution of the net rent or profit arising out of the limitation of the public assessment.

On what points decision of Revenue Officers to be conclusive.

Collectors shall not disturb possession unless specially authorized.

XIII. Collectors and other Officers exercising the powers of Collectors shall not, unless where specially authorized in the manner prescribed in this or some other Regulation, do any act tending to disturb possession, but shall leave the Adawlut to investigate in a regular suit all claims of persons not in possession but deeming themselves entitled to be so.

XIV.

XIV. *First.* Collectors making or revising settlements shall, in cases in which any dispute may exist in regard to the nature of the tenure of any person occupying the soil, be competent to declare in an official proceeding to be incorporated in the roobukaree of settlement, the nature and extent of the interests actually possessed by such occupant, referring to the denomination heretofore applied to him only as one means of proof in regard to the nature of the interest, but stating at length, with specification of any examination he may take for his satisfaction, the grounds of his determination; so also in cases of dispute regarding the extent of the interest belonging to any sharer in a village or villages held under Putteedaree, Bhyachara or the like tenure, such sharer having actual possession of a portion of such village or villages, or being in the actual receipt as proprietor of a share of the joint profits of the land, it shall be competent to the Collector to decide the point in the first instance in his roobukaree of settlement, and to enforce his decision, leaving the party who may deem himself aggrieved to seek redress by a regular suit in the Courts to try the right; but nothing herein contained shall be construed to authorize the Courts to interfere with the decision of the Collector in regard to the amount or proportion of jumma to be assessed on any parcel of land, or in respect to the quantity and description of land to be assigned in partition to the holder of any specific share of a joint estate.

Collectors making or revising settlements may declare nature and extent of interests possessed by persons occupying land.

Where lands held in Patteedaree, Bhyachara or the like tenure, Collectors may decide disputes as to the extent of interest belonging to any parcener, and may enforce his decision.

Subject to an appeal to the Adawlut.

Second. The above rule shall not be construed to empower Collectors, unless otherwise authorized, to take cognizance of any claim, to receive a larger portion of the common profits than the claimant has hitherto enjoyed, or to hold a larger portion of the village or villages than he has hitherto occupied.

Collectors shall not under the above rule take cognizance of claims to larger profits or more land than claimant may have hitherto enjoyed or held.

Third.

Decision of Revenue officers to be maintained by Courts unless proved to be wrong in a regular Suit.

Third. The decisions passed by the Collectors under the above powers, if not altered or annulled by the Board or by Government, shall be maintained by the Courts, unless on investigation in a regular suit it shall appear, that the possession held under such a decision is wrongful; and nothing herein contained shall be understood to authorize any Court to interfere with the decision of the revenue authorities relative to the jumma tobe assessed on any mehal or portion of a mehal, or to the extent and description of lands belonging to any mehal, that may be assigned on the partition of the same to the several parceners concerned.

Courts not to interfere with apportionment of jumma or allotment of land made by Collectors, excepting where the principle of Collector's decision may be at variance with decree.

In what cases Collectors to take cognizance of complaints of wrongful dispossession.

Fourth. If any person shall complain to a Collector or other officer making or revising the settlement of any mehal, that he has been wrongfully dispossessed from any lands, premises, crops, orchards, pasture grounds, fisheries, wells, water courses, tanks, reservoirs, or the like, within such mehal, or of the rents, produce or profits of such lands, premises, &c. the like as aforesaid, or that he has been wrongfully disturbed in the possession thereof, it shall be competent to the Collector or other officer aforesaid, to enquire into the matter, and if the party so complaining shall appear to have been in possession in the year preceding that in which the complaint is brought, and there shall otherwise be reason to believe, that he has been violently or wrongfully dispossessed or disturbed, it shall be competent to the Collector to restore or confirm him, recording the grounds of his determination in a roobukaree, and the opposite party shall in such case be left to bring a regular suit in Court to try the question of right. In like manner should a Collector or other officer as aforesaid find, that there exist in any mehal of which he may be making or revising

Subject to an appeal to the Adawlut.

revising the settlement, any disputes relative to the possession of lands, premises or the like, which it may be expedient to adjust, it shall be competent to the Collector or other officer aforesaid to pass a decision determining the point of possession, leaving the question of right, if further disputed, to be settled by the result of a regular suit in the Adawlut.

Fifth. The above provisions shall be held to apply to all cases in which a zemindar or undertenant, whether farmer or ryot, having by special deed or prescriptive title, a right of occupancy, shall have been wrongfully ousted from the occupancy of lands held and cultivated by him in the preceding year, or in which the rents and profits of any land which were received by such dispossessed party in the preceding year, shall be withheld from him, without a legal award or a voluntary act of the party involving the transfer, renunciation or relinquishment of such rents and profits. But the above rule shall not apply to any case in which the complaining party may have executed any deed, purporting to be a relinquishment of possession, unless it shall have been established by some judicial proceeding, that such deed was extorted by force and terror, nor to any cases wherein the complainant shall have in any way lost or relinquished possession previously to the commencement of the year preceding that in which the complaint may be preferred.

The above provisions to what cases to apply.

To what cases the rule shall not apply.

XV. In the settlement of any resumed mehal held, or pretended to be held under Sunnuds from the ruling power, or from the Amils or other officers of the Government,

In settling resumed lakhiraj lands, Collectors may take cognizance of claims to the property therein.

ment, whether such lands shall have been heretofore subject to the payment of revenue or otherwise, it shall be competent to the Collector or other officer making the settlement to hear, try and determine all claims to the property and possession of the land comprising such mehal, or the rents or produce thereof,—any thing in the existing Regulations notwithstanding,—and subject to the orders and direction of the Board of Revenue, or other authority exercising the powers of that Board, to give possession to, and conclude a settlement with the party who may appear to have the best title, leaving other claimants to establish their claims by a regular suit in the Zillah or Provincial Court, by which, according to the value of the interest at stake, all decisions passed by the revenue authorities under this Section, may on such suit being fully heard, sued and determined, and not otherwise, be revised, annulled or altered. The above rule shall not extend to lands held free of assessment under grants made by, or at the request of the proprietors themselves, or their representatives, the settlement of which shall ordinarily be made with the parties in possession, if willing to engage on adequate terms.

And may give possession to parties appearing to have the best title.

Subject to an appeal to the Adawlut by a regular suit.

The above rule not to extend to lands held under grants made by, or at the request of proprietors.

XVI. It shall be competent to the Governor General in Council to grant to a Collector making or revising the settlement of any mehal, whether the same may have been held by a lakhiraj tenure resumed, or being malgoozaree, may have become open to resettlement in ordinary course, special authority to hear, try and determine as above, all claims to the property and possession of the lands lying within such mehal, or the rent or produce thereof, and to give possession to the party who may appear to have the best title, subject

Governor General in Council may grant to Collectors making or revising settlements, special authority to take cognizance of claims to the property and possession of land.

to

to the orders and direction of the Board, and further subject as above, to the revision of the Zillah or Provincial Court on a regular suit: Provided also that whenever special authority may be given to any Collector as aforesaid, notice of the order of Government shall be published by a Proclamation within the mehals, to which the authority so given may extend; and it shall be the duty of the Collectors and the Boards to see that such Proclamation is duly made. But no decision passed by a Collector under this or any other Section whereby such notification is required, shall be disturbed by any Court of Judicature, otherwise than after a full and regular investigation of merits on the plea that Proclamation was not made.

Collectors making or revising settlements in what cases to take cognizance of claims to property in lands held lakhiraj or at a mocurruree jumma, under valid tenures, and to make a settlement with the proprietors on behalf of the lakhirajdar, or mocurrureedar.

XVII. It shall be competent to Collectors and other officers engaged in making or revising the settlement of any purgunnah, mowzah or other local division, on the application of persons claiming a right of property in lands held free of assessment, or at a mocurruree jumma, under unquestioned grants from the ruling power, or from the amils or other officers of Government, and situate within, or adjoining to such pergunnah, mowzah or other local division, to receive, try and determine the claim; and if satisfied that the applicants do possess, or are entitled to possess, a hereditary and transferrible property in the land or the produce or rent thereof, the Collector or other officer, with the sanction of Government previously obtained, shall be authorized to conclude a settlement with them on behalf of the lakhirajdar or mocurrureedar, for such period as the Governor General in Council may direct, and shall grant to each of the said proprietors pottahs, defining the conditions on which they are to hold their lands, subordinate to the lakhirajdar or mocurrureedar.

currureedar.—It shall further be competent to the Collectors, under the orders of the Board of Commissioners, to fix and declare the amount of malikana or other proprietary allowance to be paid by such lakhirajdars or mocurrureedars to the said proprietors, in the event of their being divested of the occupancy and management of their lands: Provided however, that either party who may be dissatisfied with the decision of the Collector as to the question of the right of property, shall be at liberty to contest the same in a regular suit in the Adawlut; but the Courts shall not interfere to alter the terms on which the settlement may have been made by the Collector with proprietors, or the amount of malikana granted to such persons.

Proviso that an appeal to the Adawlut shall lie on the question of right of property

Collectors to be the Judges to the question of jurisdiction.

XVIII. The Collector shall in cases of doubt be the judge of the question of jurisdiction, subject to the orders of the Board and of Government, and the Courts of Judicature shall not disturb possession given by the Collector, except on a regular suit, and on a decision as to the right.

Collectors authorized to summon witnesses and require production of accounts.

XIX. *First.* It shall be competent to Collectors when prosecuting the above enquiries, or hearing and trying the above suits or otherwise, when authorized in that behalf by the Board to which they may be subordinate, to require all sudder malgoozars and other persons owning, occupying, managing or cultivating any lands within or in the vicinity of the mehal to which their inquiries may extend, or gathering or disposing of the produce thereof, or collecting, enjoying or appropriating any rent or revenue derived therefrom, as well as the Gomashtahs or other Agents employed by such persons in the management or cultivation of the land, or in

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the collection of the rent, produce or revenue thereof, to attend and produce all accounts or other papers which they may respectively possess relative to such lands, produce, rent or revenue, and to examine the said persons on oath, or Hulufnamah, to the truth of the accounts produced, or on any other matter relating to such accounts, or regarding the lands, produce, rent or revenue of the mehal, or the rights and interests attaching to such lands, produce, rent or revenue: Provided however that no person shall be compelled to answer on oath or solemn declaration, any interrogation regarding matters wherein he may have an immediate personal interest in concealing the truth, or in uttering what is false, not being an interest arising out of fear, favor or reward, or any corrupt bargain or agreement with another party.

To examine on oath, or Hulufnamah.

Proviso that persons shall not be examined on oath on questions immediately touching their own interests.

Second. The rules contained in Section XI. Regulation II. 1819, relative to the mode of serving process on persons who may be required to attend and produce accounts under the provisions of that Regulation, shall be and be held applicable to processes issued by Collectors or other officers under the rules contained in this Regulation. In like manner the provisions of Section XII. of the said Regulation shall be applicable to all putwarries, gomashtahs, or other persons, by whom the accounts of any lands regarding which the said enquiries may have been instituted, may be kept, and who after being duly summoned as aforesaid, may neglect or omit to produce any of the accounts required from them, or to give their evidence regarding them, or who may deliberately give a false deposition on oath or solemn declaration when summoned and examined as aforesaid, or who may alter, fabricate, falsify, or mutilate the accounts which they may be required

Rules of Regulation II. 1819, applicable to processes issued by Collectors under this Regulation.

Also to putwarries and others summoned or examined in cases cognizable under this Regulation.

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to produce: Provided further that Collectors and other officers employed in the settlement of the land revenue, or in any of the enquiries specified in this Regulation, shall be vested with all the powers and authority which are or may be lawfully exercised by Collectors in cases depending before them under Regulation II. 1819, and the rules contained in Clause III. Sections XIII. XIV. and XIX. of the said Regulation, shall be and be held applicable to all persons who may be summoned by any Collector or other officer aforesaid, or who may resist the process of a Collector issued under the rules of this Regulation, or who may refuse to take an oath or subscribe a solemn declaration when required, or who may deliberately give a false deposition on oath, or under a solemn declaration taken instead of an oath, or may cause or procure another to do so.

And to all other persons upon whom process may be issued.

XX. *First.* The powers specified in Sections XI. XII. XIV. XVI. XVII. XVIII. and XIX. of this Regulation, shall be ordinarily exercised by Collectors when employed in making or revising settlements of the land revenue, and shall extend to all the lands comprized in the pergunnah in which he may be so employed; but it shall be competent to the Government by an order in Council, to be publicly proclaimed in the district, to restrict the authority of Collectors and other officers making settlements in such manner, and to such extent, as he may, from time to time, judge expedient. In like manner it shall be competent to Government to vest such Collectors as may, from time to time, be judged fit, with a special authority to receive, try and determine in the first instance, subject to a regular suit in the Adawlut as above provided, all or any of the questions of the nature specified

Powers specified in Sections XI. XII. XIV. XVI. XVII. XVIII. and XIX. to be ordinarily vested in Collectors making or revising settlements.

But Governor General in Council may restrict powers to be exercised on any particular occasion.

Like powers may be specially vested in Collectors though not engaged in making or revising settlements.

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in the aforesaid Sections, though the said Collectors may not be engaged in making or revising a settlement of the land revenue, and to vest in such of the Collectors as may be thought proper, authority (either generally or within such limits as may be, from time to time, determined) to receive, try and determine by summary process, all suits for rent which may be preferred by zemindars, talookdars or other sudder malgoozars or farmers of land, or by any person in their behalf against any dependant talookdar, zemindar, under-renter, ryot or other under-tenant of whatever denomination, as well as all applications by ryots and the under-tenants contesting the demand of a sudder malgoozar or farmer, and all complaints preferred by ryots or other undertenants of whatever description, against landholders or farmers of land, or their respective agents or representatives, on account of excessive demand or undue exaction of rent, whether levied by distraint or otherwise, as well as all suits relative to the adjustment of accounts between landholders and farmers of land or undertenants of whatever description, with their sureties, or with any agents or persons employed by them in the management of land, or the collection or payment of the rent of land, and to all other matters immediately connected with the demand, receipt or payment of the rent of land, whether malgoozary or lakhiraj, or with the rent of orchards, pasture grounds, and fisheries, commonly denominated Phulkur, Bunkur and Julkur, or with any other asset of the land revenue, not included in the sayer abolished, together with all complaints of the non-delivery of pottahs when demandable under the Regulations, or complaints of the prescribed receipts not being given for actual payment of rent, and generally complaints of any deviation from the Regulations, or from the

Collectors may be similarly vested with special powers to try all suits regarding rent.

Or exaction of rent.

The adjustment of accounts between landlord and tenant their sureties and agents,

and touching all matters connected with land, the rents or produce of land, the delivery of pottahs, the violation of engagements and generally all disputes between Sudder Malgoozars, and farmers and their tenants.

the established usage of the country relative to the matters aforesaid, or any violation of subsisting engagements in disputes respecting the rent and occupancy of land, between landholders or farmers of land, and their under-tenants of whatever denomination.

Appointment of Collector to exercise the above duties how to be notified.

Second. The appointment of the Collector to the discharge of the above duties, and the extent of the jurisdiction to be assigned to him, shall be notified by Proclamation in the district, after such manner as the Governor General in Council may direct; and after the publication of such notice, all summary suits, actions, applications and complaints of the above nature, and referring to lands or the rents, produce or accessions of land lying within the jurisdiction assigned to the Collector as above, which may be preferred in the Zillah or City Adawlut by any sudder malgoozar, zemindar, talookdar, farmer, ryot or other proprietor or undertenant of land, shall, immediately on being received, be referred for trial to the Collector, to whom also all such summary suits depending at the time shall be transferred: Provided also that in such cases, parties having suits or complaints to prefer of which the cognizance may be vested as above in the Collector, shall be at liberty to prefer them to that officer in the first instance. It shall in like manner be competent to the Governor General to fix by an order in Council, the period at which the special powers given as above to a Collector, and the authority to be ordinarily exercised by those officers on the occasion of making settlements, shall cease and determine.

Governor General may fix by proclamation period for which Collectors are to exercise judicial powers under this Regulation.

Collectors shall not take cognizance of complaints specified

Third. No complaint or application of the nature specified

cified in the preceding Clauses, shall be received by a Collector under the rules of this Regulation, unless the plaint or application shall have been preferred within the period of one year after the cause of action shall have arisen.

in preceding clauses, unless preferred within one year.

XXI. In summary suits for rents and the like, wherein special rules have been prescribed for regulating the process of the Courts, the Collectors shall be guided by the same rules, and shall exercise the same powers and authority as are or may be lawfully exercised by the Zillah and City Judges. In other cases falling under their cognizance, according to the provisions of this Regulation, the ordinary process for securing the attendance of the defendant or party otherwise impleaded, shall be to issue a notice reciting the matter, and requiring the defendant or other party to attend in person or by representative, at such time and place as may be made choice of by the Collector for conducting the investigation: should any party fail to attend after being served with a notice of the above description, or should the return of the Nazir or person employed to serve the notice be that, after diligent search the party or parties cannot be found, proclamation shall be made in writing to be stuck up at or near the ordinary residence of the party, stating that after fifteen days from the date of publishing the same, the case will be liable to be brought up for trial and judgment, and any party implicated who, having been served with the notice above described, shall fail to attend, or who shall continue to absent himself, will be as much bound by the judgment that may be passed, as if he or they had been in attendance to plead.

Collectors by what rules of practice to be guided, and what processes to issue.

XXII. Sections XVIII. and XIX. Regulation VIII. 1819,

Sections XVIII. and XIX. Regulation

VIII. 1819, extended and declared applicable to cases tried by Collectors under this Regulation.

1819, are hereby extended to all the provinces immediately subject to the Presidency of Fort William, and the provisions of the said Sections shall be applicable to the proceedings of Collectors held under this Regulation:—Provided however, that whenever it shall be desired to apprehend a defaulter residing out of the jurisdiction of the Collector by whom the suit relative to the alleged arrear may be cognizable, the process of arrest shall be served through the Judge of the district where the alleged defaulter may reside.

Collector's Cutcherry shall be held a Court of Civil Judicature: and his decisions shall be deemed to be judicial awards.

XXIII. *First.* It is hereby declared and enacted, that in so far as concerns the summoning and examination of witnesses, the penalties for false testimony, for resistance of process, contempts, and all other similar matters, connected with cases under cognizance before the Collectors of land revenue, or other officer, by virtue of the powers vested in them by this Regulation, or any other Regulation, whereby Collectors are vested with judicial powers, their cutcherry or office for the time being shall be deemed and held to be a Court of Civil Judicature.

Second. Provided also, that the regular suits which may be brought to contest decisions passed by Collectors, under the powers vested in them by Sections XI., XII., XIV., XV., XVI., XVII., XVIII., XIX., and XX. shall be of the nature of an appeal to Court in it's regular jurisdiction from a summary award. It shall not therefore be necessary for the Collector or other officer of Government to be a party in the action.

Collectors authorised to execute awards made by them.

Third. Collectors of the land revenue are hereby empowered

empowered to execute all awards made by them under the rules of this Regulation, in cases wherein a specific sum of money shall be adjudged to be due, or any costs or damages be awarded; the Collector decreeing the same shall proceed to levy the amount for the party in whose favor it may be adjudged by the process in use for the recovery of arrears of the Government revenue:---Provided however, that he shall not sell any lands, houses, or other real property in satisfaction of any judgment passed in favor of any individual, on a summary enquiry. In cases wherein possession of lands, houses, watercourses or the like may be adjudged, it may and shall be lawful for the Collector making the award, to deliver over possession in the same manner and with the same powers in regard to all contempts, resistance, and the like, as are or may be lawfully exercised by the Courts in giving possession to an auction purchaser; and the Zillah or City Adawluts shall support the Collectors in the exercise of the above power, and shall give effect to any orders passed by them in pursuance of it, in the like manner as if the same had been passed by themselves. Collectors are further hereby empowered to place one or more peons, mirdahs, suwars, or the like, to aid in the maintenance of possession for the party to whom it may be awarded, in case of his deeming such a measure necessary or expedient.

Collectors authorized to depute native officers to make enquiries preparatory to settlement.

XXIV. *First.* It shall and may be lawful for a Collector or other officer exercising the powers of Collector, preparatory to making or revising a settlement as aforesaid, to depute any tuhseeldar, kanoongoe, aumeen, or other fixed or temporary officer to any village or mehal, whether the same be managed by a zemindar or farmer, or be held khas, to enquire into the various

various matters which such Collector or other officer is required or empowered to investigate, in order to form a settlement in the mode prescribed by this Regulation. Any such native officer so deputed as above, shall be deemed to be vested with the power of summoning and examining putwarries, gomashtahs, or other persons by whom the accounts of the village or mehal may be kept, in the same manner and with the same powers as is provided for officers deputed under Section XXV. Regulation XII. 1817. Furthermore, in case the Collector or other officer may so prescribe, the said tuhseeldar, or other person, shall be empowered to make a measurement of the village or mehal, into which they may be deputed, and to summon any mocuddums, pudhans, ryots or other residents, and to call upon them to point out the boundaries of such village or mehal, and to furnish information as to all matters relating to the land and the rights and interest attaching thereto: and any person contumaciously with-holding information from an officer deputed as aforesaid, shall be liable, on the same being established to the Collector's satisfaction, to the same penalty as is prescribed for putwarries refusing to attend or give evidence.

Resistance or obstruction of the process or order of a Collector, how punishable.

Second. Provided also, that any person who may, by force or threats, obstruct or resist the execution of any legal process, requisition or order of a Collector or other revenue officer, shall, in addition to the penalties prescribed by the existing Regulations for such act, be liable to a fine not exceeding two hundred rupees, or to imprisonment in the Dewanny jail for a period not exceeding two months; the said fine or other penalty to be adjudged by the Collector after proceeding duly held and recorded, and the sentence to be immediately reported to the Board to which he may be subject.

Third.

Third. Provided further, that all police officers shall aid and support the execution of all process and orders issued by a Collector or other officer aforesaid, on the responsibility of the officer issuing or executing the same; and if any affray or breach of the peace shall occur in consequence of any resistance or obstruction being made or attempted to be made to the legal process or order of a Collector or other revenue officer, the parties resisting or obstructing such process or order, shall be punishable for the affray or breach of the peace, and the revenue officers shall not be liable to any criminal prosecution on that account.

Police officers to aid and support the execution of process and orders of Collector.

XXV. It shall be competent to the parties in all suits the cognizance of which is hereby vested in the Collectors of Revenue, to employ any agent, vakeel or representative, whom they may think proper to appoint, to act and plead in their behalves, provided such agent, vakeel, or representative, be duly empowered by the parties. The rate of remuneration to such agent or vakeel shall be left to be adjusted between himself and his constituent, but no greater sum shall be awarded on this account for costs payable by the party against whom the judgment may be passed, than what may be deemed by the Collector a fair equivalent for the attendance of such agent.

Parties in suits tried by Collectors, may employ any vakeels or agents they think proper.

XXVI. No other pleadings shall be required from the parties in such suits, than a plaint and answer, provided that if the parties should, at any time, wish to file an amended plaint, or an amended answer, or any explanatory motion, such subsidiary pleadings shall be received.

What pleadings to be required.

XXVII. The mooktarnamas or vakalutnamas, and the pleadings

Stampt paper to be used.

pleadings and final decree in such suits, shall be written on stampt paper of the value of eight annas, whatever may be the amount of the suit, and no fees shall be taken on exhibits tendered in the cause, or for the witnesses required by the parties; nor shall it be necessary for the parties to present a written motion on stampt paper for the filing of such exhibits, or for the summoning of such witnesses.

Collectors may try and determine suits in any part of their districts.

XXVIII. It shall be competent to the Collectors to hear and determine such suits in whatever part of the district they may occasionally be or reside, provided that every hearing and decision be in public cutcherry, or in some other place open to the public, and in the presence of the parties or of their constituted agents or vakeels, if in attendance.

Decisions how appealable to Boards.

XXIX. *First.* The decisions of the Collectors on all such suits shall be appealable to the Board of Revenue or other authority exercising the powers of that Board. The petition of appeal shall be presented either to the Collector or to the Board, at the option of the party, and shall be written on stampt paper of the value of two rupees, but no petition of appeal shall be received after the expiration of three months from the date of the decision, unless sufficient cause shall be shewn for the delay to the satisfaction of the Board.

Board how to proceed on such appeals.

Provided also that the Board shall not be required in ordinary cases to go into a regular investigation of the merits, but shall be authorized to dismiss the appeal without further investigation, in all cases in which, on a consideration of the final robucaree of the Collector, they may not see ground to consider the decision of that officer to be unjust, erroneous or doubtful, or his proceedings in the case irregular or imperfect:

fect: Provided also that in all cases in which the Collector may dismiss the suit for non-attendance, or on some other ground of default, without an investigation of the merits of the case, it shall be competent to the Board to direct a new trial, and in cases in which he may neglect or delay the investigation or decision of a suit without sufficient cause, it shall be competent to the Board to interfere and to cause the Collector to proceed upon the enquiry into, and determination of it.

In what cases Board may direct a new trial or interpose to correct neglect or delay.

Second. No pleadings except the petition of appeal shall be required in such appeals, nor shall any fees be taken by the Board on the exhibits originally filed, or on any further documents which the Board may think it necessary to call for.

What pleadings to be required in appeals to Boards.

Third. If the parties choose to employ in the pleading of such appeals the same agents or vakeels who were previously employed by them in the original suit, no further mooktarnamah or vakeelutnama shall be required of them.

Fourth. The respondent shall receive notice of the appeal, but shall not be compelled to appear in person or by vakeel, and the appeal shall be decided on the merits of the case, notwithstanding his absence, in the same manner as if he had attended.

Respondents to receive notice, but not to be required to appear.

Fifth. The decision of the Board shall be final in as far as concerns the result of the summary enquiry of the Collector, and shall be rendered in a Persian robucaree written on stampt paper of the value of two rupees.

Board's decision to be final as to the result of summary enquiry.

Sixth.

But decision of Board and Collector may be contested by regular Suit in Adawlut.

Sixth. Any person however dissatisfied with the summary judgment of the Collector or the Board, and desirous of a more full and formal decision, shall be at liberty to prefer a regular suit to try the merits of the case in the Zillah or other similar or superior Court in which it may be cognizable. In such cases the summary judgment of the Collector, if not reversed or staid by the Board, shall be carried into effect, notwithstanding the institution of the regular suit.

Parties having claims cognizable by Collectors, and not wishing a summary trial, may in the first instance bring a regular action in the Adawlut.

XXX. All persons having claims or complaints to prefer of the nature of those made cognizable by Collectors under the provisions of this Regulation, and not wishing to avail themselves of the summary process authorized in that Court, shall be at liberty to institute their claims or complaints in the first instance by a regular suit before the local moonsiff, or in the Zillah or City Adawlut, or Provincial Court of the division, according as the suit may be cognizable in these courts respectively, under the general Regulations for the administration of Civil Justice.

On appeal to a Court against the decision of a Collector, the proceedings held by that Officer shall be called for and filed in the case.

XXXI. *First.* Whenever a regular suit may be instituted in a Civil Court, with a view to set aside or alter a summary judgment passed by a Collector, the proceedings held on the summary inquiry shall be called for by precept from the Court, and filed on the record of the case.

No such appeal cognizable by, or referrible to any register, ameen or moonsiff.

Second. Provided also, that no such suit shall be cognizable by, or referrible to any register, sudder ameen or moonsiff, and all registers, sudder ameens and moonsiffs, shall in cases tried by them be held and bound by the decisions passed, and records prepared, by Collectors or other revenue officers

officers under the provisions of this Regulation, unless the same shall have been rescinded or altered by the Board, or by the Zillah or other similar or superior court on a regular suit.

Periodical Reports to be furnished by Collectors to Boards.

XXXII. The Collectors shall transmit to the Boards such periodical reports of the causes decided by, or depending before them, as the Boards may direct, and the Boards will also furnish to Government such abstracts of those reports, and such reports in the cases received and determined by them in appeal, as the Governor General in Council shall, from time to time, require.

Collectors authorized to refer certain cases to arbitration.

XXXIII. *First.* It shall be competent to Collectors or other officers exercising the powers of Collectors to refer to arbitration any disputes cognizable by them under the provisions of this Regulation, as well as any questions or disputes of any kind respecting land or the tenures therein, or the rights dependent thereon that may come before them—provided the parties consent to that mode of adjustment, and on award being made, to cause the same to be executed. In referring cases to arbitration under the above provision, and in their general proceedings relative to such suits, the Collector shall be guided by the rules contained in Regulation XVI. 1793, and the other corresponding enactments, and in Regulation VI. 1813, in so far as the same may be applicable, and shall be competent to vest in the arbitrators the same powers and authority in regard to the summoning and examination of witnesses, and the administration of oaths, and to enforce the orders passed by the arbitrators under such powers, in the same manner as the Courts of Judicature are

empowered

Force of awards passed on such reference.

empowered to do; and all awards made on such references shall, when confirmed by the Collector, have the same force and validity as a regular decree of the Adawlut, and shall not be liable to be reversed or altered, unless the award shall be open to impeachment on the ground of corruption or gross partiality, or shall extend beyond the authority given by the submission of the parties, and such ground of impeachment shall be established in a regular suit in the Zillah, City or other superior Court, wherein the case may be cognizable.

Matter of arbitrament to be distinctly specified in Collector's proceedings.

Second. In referring any dispute to arbitration, the Collector shall be careful to specify in his proceedings, and in the deed of arbitration, to be executed by the parties, the precise matter submitted to the arbitrators, and if the award first made by the arbitrators shall not include all the points submitted to them, or shall be otherwise incomplete, it shall be competent to the Collector again to refer the matter to them with directions to perfect their award.

Canoongoes and tehseeldars may be employed as arbiters.

Third. The pergunnah canoongoes and tehseeldars may be appointed arbitrators in any case referred to arbitration under the above rules; any thing in the existing Regulations notwithstanding.

Collectors in what cases to interfere of their own motion in cases of disputed possession.

XXXIV. *First.* When a Collector or other officer exercising any of the powers vested in Collectors by the rules of this Regulation, relative to complaints of dispossession or disturbance of the possession of lands or premises, shall learn either by a reference from the Magistrate or by a report from any other public officer or otherwise, that any disputes exist within the tract placed under his jurisdiction relative to any lands,

premises,

premises, crops, orchards, pasture grounds, fisheries, wells, watercourses, tanks, reservoirs or the like, likely to terminate in a breach of the peace, it, shall and may be lawful for the Collector or other officer aforesaid, to require the contending parties to attend in person or by representative at a stated time and place, and after investigating the case in the presence of the parties or their representatives, or such of them as may attend, or referring it to arbitration as above prescribed, to decide the case in the same manner as if it had been brought before him by the complaint of one of the parties: Provided also, that if the fact of previous lawful possession cannot be ascertained, it shall be competent to the Collector, subject to the orders and direction of the Board, to decide on the question of right, and to give possession to one of the contending parties, leaving the other party to contest the decision by a regular suit in Court: But no such decision shall be passed by any Collector, until he shall have instituted a careful enquiry into the fact of possession, and the Board shall be careful to see that this restriction is observed: Provided further, that in such cases it shall be competent to the Collector to attach the disputed lands, premises &c. as aforesaid, and to appoint an officer to the management of the same, retaining in deposit the rents and produce, or such portion thereof, as may remain after discharging any public revenue demandable therefrom, with the charges of management, until one of the contending parties shall be placed in possession.

And to give possession to one of the contending parties.

Collector may attach disputed lands, &c.

Second. Whenever any Magistrates or Joint Magistrates shall have before them any suit, complaint or information relative to any dispute regarding lands, premises, crops, watercourses or the like, which may appear likely to terminate in

Magistrates and Joint Magistrates in what cases to refer disputes to Collector.

a

a breach of the peace, or which it may otherwise be desirable to bring to an immediate decision, it shall be the duty of such Magistrate or Joint Magistrate in cases in which the Collector shall be vested with the cognizance of such actions, to certify the case to that officer, and the Collector will then forthwith proceed to investigate and determine the case under the rules above prescribed: Provided also, that in all cases of forcible dispossession, or forcible disturbance of possession, the Collector shall invariably transmit to the Magistrate or Joint Magistrate a Copy of the first proceeding held by him in the case, and also a copy of the robucaree containing his final award.

Collector to encourage arbitration.

Third. The Collector shall in all such cases use every proper means for inducing the parties to refer their disputes to arbitration, in like manner as the Dewanny Courts are directed to do.

Meaning of the term Board of Commissioners &c. as used in this and other Regulations.

XXXV. Whenever the term Board of Revenue or Board of Commissioners may occur in this or any other Regulation, the same shall be held and considered to apply to any Board, Committee or Commission, and to any member of such Board, Committee or Commission that may be vested by the Governor General in Council with the powers and authority of the Board of Revenue, save and except in so far as may be otherwise specially declared and provided. In like manner all rules in this or any other Regulation, whereby any duties or powers may be prescribed for, or vested in Collectors, shall be held and considered to be equally applicable to any officer exercising the authority of Collector, under the orders or with the sanction of the Governor General in Council.

Rules regarding Collectors, to apply to any officer exercising authority of Collector under orders from Government.

BENGAL SECRETARIAT LIBRARY

A. D. 1822. REGULATION VIII.

Same him out

A REGULATION *to declare, that Persons charged with crimes and misdemeanors must ordinarily be brought to trial at the Foujdaree Court or Sessions of the district in which such crimes or misdemeanors may be perpetrated, and to vest the Governor General in Council and the Nizamut Adawlut with a discretionary power as to the place of trial;—* **PASSED** *by the Governor General in Council on the* 12*th September* 1822, *corresponding with the* 28*th Bhadoon* 1229 *Bengal Era; the* 11*th Assin* 1230 *Fussily; the* 29*th Bhadoon* 1230 *Willaity; the* 12*th Assin* 1879 *Sumbut, and the* 25*th Zeilhijah* 1237 *Higeree.*

ALTHOUGH the Regulations of Government contain no specific provision to the effect, it is nevertheless an established principle of law and usage, that persons charged with Preamble.

with criminal offences shall (save under special ground of exception) be tried for the same in the Foujdaree Court, or at the Sessions of Jail delivery held for the zilla or city within the jurisdiction of which the acts charged may have been committed. In some cases however, a rigid adherence to this principle is productive of great inconvenience to parties and witnesses, and in it's consequences obstructs the course of justice; moreover, there are circumstances in which it is desirable for political reasons, that a trial shall be removed from one district in order to be brought on at some other, where it can be more safely or expeditiously conducted. Instances have occurred in which trials have heretofore been removed for such causes, but the existing Regulations are defective, in as much as, besides containing no specific declaration of the general principle, they do not sufficiently provide for the course to be adopted where special grounds of exception may exist. It has consequently been deemed necessary as well to declare the principle, as to provide by a specific enactment for the exercise by the Governor General in Council and by the Nizamut Adawlut of a dispensing power in regard to the place at which prisoners shall be brought to trial for the offences with which they may be charged. It has likewise been deemed advisable to declare specifically, the competency of the Governor General in Council to determine where, and in what manner, Jail deliveries shall be held for districts or portions of districts placed temporarily or permanently under the authority of Joint Magistrates or other similar officers. The following rules have accordingly been enacted, to be in force from the date of their promulgation throughout the territories immediately subordinate to the Presidency of Fort William.

II. In

II. In explanation of the rules contained in Sections V. and VI. Regulation IX. and Section XVI. Regulation XXII. 1793, together with the corresponding rules for Benares, contained in Section IV. Regulation XVI. and Section XV. Regulation XVII. 1795, and those for the ceded and conquered provinces, contained in Sections V. and VI. Regulation VI. and Section XVI. Regulation XXXV. 1803, and generally of the rules applicable to the limitation of the jurisdiction to be exercised by Magistrates, in the cognizance of criminal charges, and in the trial or commitment of prisoners upon the same, it is hereby declared, that nothing contained therein shall be deemed or construed to empower a Magistrate to try and pass sentence, or to commit for trial at the Sessions of Jail delivery for his district, any person or persons charged with an offence not perpetrated within it's limits, except under special authority of the Governor General in Council, or of the Nizamut Adawlut. Should therefore proceedings have been instituted by any Magistrate against any person or persons residing within his jurisdiction, on account of an offence perpetrated beyond it's limits, or should it appear in the course of the investigation of any case, that the act charged was not perpetrated within the limit of the zilla or city, but in some other jurisdiction, it shall be the duty of the Magistrate who may have commenced proceedings, or who may be conducting the investigation, to send over the parties and witnesses, together with all the proceedings he may have held thereon, to the Magistrate of the district within which the crime may appear to have been committed, in order that the parties may be there dealt with according to law: Provided however, that in case the immediate adoption of this course should be attended with very great inconvenience to the parties and witnesses, or in

Nothing in existing Regulations to empower Magistrates to pass Sentence, or commit for trial, by the Court of Circuit, for offences committed out of their jurisdiction.

Except under authority of Government, or of the Nizamut Adawlut.

If the offence charged be perpetrated beyond Jurisdiction, the Magistrate to send proceedings, parties and witnesses to the Magistrate of the district in which it was perpetrated.

But may suspend for special reasons, and refer the case to the Nizamut Adawlut for orders as to place of trial.

in case there should be other circumstances to make it desirable in his opinion, that the trial should be brought on, or completed at the station at which the proceedings may have been instituted, it shall be competent to the Magistrate to suspend the transfer above prescribed, and to report the circumstances for the orders of the Nizamut Adawlut: Provided further, that nothing contained in this Section shall be held or deemed to interfere with the course prescribed by Regulation V. 1809, and Section VI. Regulation I. 1822, for the trial and sentence of persons committing offences beyond the frontier of the Company's territories.

Above rule not to interfere with Regulation V. 1809, and Section VI. Regulation I. 1822.

It shall be competent to the Governor General in Council to order a trial to be conducted at any station, other than that of the district, where the offence was perpetrated.

And to issue orders to Magistrates for the purpose.

Notice to be given to Nizamut Adawlut and Court of Circuit, who will be bound to proceed with the trial, &c. where ordered.

III. *First.* It shall be competent to the Governor General in Council, whenever he shall see sufficient reason for ordering the trial of any person or persons charged with a criminal offence, to be conducted in a different zilla or city from that in which the act may have been perpetrated, to issue his instructions to that effect, and the Magistrate of the zilla or city in which the trial is to be conducted, as well as the Magistrate of the district from which the case is to be transferred, shall be bound, on the receipt of orders for the purpose, under the official signature of a Secretary to Government, to proceed to bring the party to trial at the place fixed therein, in the same manner, as if the offence charged had been committed within that jurisdiction. Notice of every such order shall be immediately given to the Nizamut Adawlut and to the Court of Circuit for the Division within which it is intended, that the trial shall take place, and those Courts shall be bound to proceed under the existing Regulations, in the same manner as if the trial had been brought on in it's proper district.

Second.

Second. In the like manner, it shall be competent to the Nizamut Adawlut to order a trial to be brought on at the station or jail delivery of any zilla or city Magistrate, other than that of the district within which the crime may have been perpetrated, whenever, either from the Magistrate's representation, or from other information, it shall appear to the Court, on substantial grounds to be recorded on their proceedings, that such measure will promote the ends of justice, or tend to the general convenience of the parties and witnesses without hinderance thereto. An order under the official signature of the Register of the Court, shall be sufficient authority for the Magistrate and Court of Circuit to proceed to the trial; any thing in the existing Regulations to the contrary notwithstanding.

It shall be competent to the Nizamut Adawlut, to order removal of a trial when the ends of justice, or convenience of parties, may be promoted thereby.

Official letter of the Register to be authority for the same.

IV. When a trial shall be removed from one zillah to be conducted or completed in another, in consequence of an order of Government or of the Nizamut Adawlut, under the discretionary powers reserved in the preceding Section, or when a trial shall be ordered to be carried on in the district where the proceedings may have been instituted, instead of being transferred to that in which the crime was perpetrated, the Magistrates of the several districts having relation to the case, shall be bound to conform to any instructions they may receive from the authority issuing the orders, and the trial held and sentence passed in consequence, shall be of the same legal effect, as if the whole had been conducted at the station of the district within which the crime was perpetrated.

In case trial in a different zilla from that of perpetration be ordered by Government, or the Nizamut Adawlut, Magistrates bound to conform to instructions of the authority ordering the same.

V. The foregoing rules in so far as they apply to the Magistrates, will of course be equally applicable to Joint Magistrates, to the Superintendents of Police, and to all other officers exercising the function of Magistrate.

Above rules equally applicable to Magistrates, Joint Magistrates, Superintendents of Police, &c. as to Magistrates.

VI.

Declaration that in case a Joint Magistracy or the like be created, Government shall be competent to settle how and where it's Sessions of Jail delivery shall be held.

VI. It is hereby declared, that in case of an Officer being vested with magisterial powers and deputed permanently or temporarily to exercise them within a portion of a district, or of an officer's being placed in charge of a tract of country comprising portions of several jurisdictions, it shall in such case, be competent to the Governor General in Council, at the time of creating such an authority, or at any time subsequently, to determine and prescribe by an order under the official signature of a Secretary to Government, at what station and in what manner, prisoners committed to take their trial before the Court of Circuit for offences perpetrated within the limits assigned to such officer, shall be brought to trial for the same. Notice of every such determination will of course be given to the Nizamut Adawlut, and that Court shall be bound to take the necessary steps to carry the same into execution.

Notice to be given to the Nizamut Adawlut, who will carry the same into execution.

A. D. 1822. REGULATION IX.

A REGULATION *to extend the rules of Regulation V.* 1809, *and of Section VI. Regulation I.* 1822, *to Emigrants from foreign states, and other aliens settled in the British territories, or living and residing therein for a period of six Months and upwards; also to provide for the execution by Zilla and City Magistrates, of Sentences passed by tribunals established by Government in Countries not subject to the general Regulations:—Passed by the Governor General in Council on the* 19*th September* 1822*; corresponding with the* 4*th Assin* 1229 *Bengal Era; the* 18*th Assin* 1230 *Fussily; the* 5*th Assin* 1230 *Willaity; the* 4*th Assin* 1879 *Sumbut, and the* 2*d Mohurrum* 1238 *Higeree.*

THE rules of Regulation V. 1809, and of Section VI. Regulation I. 1822, for the cognizance of offences committed beyond the frontier, are subject to the restrictions contained in Section II. Regulation VIII. 1813, which provides that "the said rules shall be considered applicable to the "three following classes of persons, and to no other." Preamble

First.

First. "Natural born subjects of the British Govern-
"ment in India. *Second.* Natives of India who may have
"become subjects of the British Government in India, by the
"conquest or cession of the places in which they were born,
"for acts done by them subsequently to the period of such con-
"quest or cession. *Third.* Natives of the foreign states of In-
"dia, in the Civil or Military Service of the British Government
"in India, while actually in such service, and during six months
"after they shall have quitted the British territories; or
"(supposing them to be stationed out of the limits of the
"British territories), after they shall have quitted the service."
In consequence of these restrictions there exists at present no legal method of bringing aliens and others, not specified in the above rule, to justice for offences committed by them beyond the frontier; nor is there indeed any mode of proceeding against them except to surrender them to the officers of the state within which the crime may have been perpetrated. Since however it is manifestly expedient that the Government should possess the same discretionary power of bringing all persons residing and living under the protection of it's laws to trial by the established Courts for such offences, the Governor General in Council has determined to extend the provisions of Regulation V. of 1809, and Section VI. Regulation I. 1822, to all persons whatsoever, other than British born subjects of His Majesty, who shall have lived and resided for six months in the territories immediately subordinate to the Presidency of Fort William, or have otherwise settled therein, and become subject to it's Government. It has likewise been deemed expedient to provide, by a legislative provision, for the execution by the several Zilla and City Magistrates, of

sentences

sentences passed by tribunals established for the administration of Criminal justice in newly acquired countries, or in territories not subject to the operation of the general Regulations; and the following rules have accordingly been enacted, to be in force from the date of their promulgation.

II. In addition to the classes of persons specified in Section II. Regulation VIII. 1813, the rules of Regulation V. 1809, and of Section VI. Regulation I. 1822, are hereby declared to be applicable to all persons whatsoever, other than British born subjects of His Majesty, who being resident within the Company's frontiers, may have purchased any lands or other immoveable property, or hired the same for any period exceeding six months, or who may have otherwise fixed or may hereafter fix their residence in the Company's territories with the intention of settling therein, or who may in any manner have lived and resided therein for a period of not less than six months.

The rules contained in Regulation V. 1809, and Section VI. Regulation I. 1822, are declared applicable to foreigners and others settling or residing for six months, within the Company's territories.

III. *First.* The several Zilla and City Magistrates are hereby declared to be competent to give effect to any sentence that may be passed by the Criminal Courts established, or that may be established under orders from the Governor General in Council, for the administration of Criminal justice in territories appertaining to the Honorable Company's dominions, but not subject to the operation of the general regulations.

The Zilla and City Magistrates declared competent to give effect to sentences passed by the Criminal Courts in territories not subject to the operation of the general regulations.

Second. A warrant, under the official seal and signature of the Officer or Officers exercising Criminal Jurisdiction within

A warrant under the official seal and signature of the Officer exercising Criminal

jurisdiction, declared to be a sufficient authority for the confinement, transportation or punishment of a prisoner.

within such territory, shall be sufficient authority for holding any prisoner in confinement, or for transmitting any prisoner for transportation beyond sea, or for inflicting any punishment defined and prescribed therein.

In cases of doubt as to the legality of such warrant, or the competency of the Officer by whom it may have been issued, a reference to be made to the Governor General in Council, and in the mean time the prisoner to be detained in custody.

Third. In the event of any doubt being entertained as to the legality of any warrant sent to be executed by any Zilla Magistrate, or as to the competency of the person or persons whose official seal and signature may be affixed thereto, to pass the sentence and issue such warrant, a reference of the point shall be made to the Governor General in Council, by whose order on the case the Magistrates and all other public Officers shall be guided as to the future disposal of the prisoner: pending any such reference, the prisoner or prisoners shall be detained in custody in such manner and with such restrictions or mitigations as may be specified in the warrant.

The rules in force for the treatment and security of prisoners confined in jails declared equally applicable to the cases of prisoners confined under this Section.

Fourth. The provisions of the existing Regulations and all other rules in force for the treatment and security of prisoners confined in the jails of this presidency, shall apply and be of equal force and effect in the case of prisoners confined under this Section, as of other convicts detained under sentences of the Criminal Courts passed under the Regulations in force.

A. D. 1822. REGULATION X.

A REGULATION *for exempting the Garrow Mountaineers and other rude tribes on the North-Eastern frontier of Rungpore, from the operation of the existing Regulations, and for establishing a special system of Government for the tract of Country occupied by them, or bordering on their possessions:—Passed by the Governor General in Council on the* 19*th September* 1822, *corresponding with the* 4*th Assin* 1229 *Bengal era, the* 18*th Assin* 1230 *Fusly; the* 5*th Assin* 1230 *Willaity; the* 4*th Assin* 1879 *Sumbut; and the* 2*d Mohurrum* 1238 *Higeree.*

Preamble.

THERE exist in different parts of the territories subordinate to the Presidency of Fort William, races of people entirely distinct from the ordinary population, and to whose circumstances therefore the system of Government established by the general regulations is wholly inapplicable.——Such were the Mountaineers of Bhaugulpore, for the reclaiming of whom to the arts of civilized life, special arrangements were made by government with the chiefs, some time before the introduction of the present system. These arrangements still

still subsist, having been incorporated into the Code by the provisions of Regulation I. 1796, under which an entirely distinct system has been established for the administration of justice amongst the inhabitants of that mountainous tract. Savage tribes, in some respects similar, exist on the North-East frontier of Rungpore, of which the race denominated Garrows, and occupying the hills called after them, are the principal. As yet little has been done to reclaim or civilize these people. The reciprocal animosity which subsists between them and the inhabitants of the cultivated country, prevents any extensive intercourse of a pacific nature, while on the contrary their mutual injuries have produced feuds leading frequently to disturbance and bloodshed. The zemindars of the frontier have, there is reason to believe, usually been the aggressors by encroaching on the independent territory of the Garrows and similar rude tribes, until, despairing of other resource, the latter are driven to seize occasions of private revenge and retaliation. These encroachments having been of long standing, several zemindars were, at the time of the perpetual settlement, in the receipt of incomes derived from cesses of various kinds, levied from the tribes, and hence a portion of the tract of country occupied by them has been considered to lie within the operation of the general regulations as forming part of the zemindarees. This however, instead of conducing to reclaim the tribes to civilized habits, has rather had a contrary effect, the system being totally inapplicable to their savage and secluded condition, and being calculated to leave them at the mercy of the zemindars, rather than to offer any substantial means of redress. The condition of the Garrow Mountaineers and of the other rude tribes on that frontier has,

for

for some time past, attracted much of the attention of the Governor General in Council, and the circumstances which have conduced to check the progress of civilization amongst them have been fully investigated and ascertained. With a view therefore to promote the desireable object of reclaiming these races to the habits of civilized life, it seems necessary that a special plan for the administration of justice, of a kind adapted to their peculiar customs and prejudices, should be arranged and concerted with the head men, and that measures should, at the same time, be taken for freeing them from any dependance on the Zemindars of the British Provinces; compensation being of course made to the latter for any just pecuniary claims they may have over them. Preparatory to the execution of measures adapted to this end, it has been deemed indispensable to suspend the operation of the existing rules for the administration of Civil and Criminal justice, and generally of the Regulations of Government within the tract of country comprised in, or bordering on the hills and junguls occupied by these tribes, aud to appoint a Commissioner with full power to conclude arrangements with the chiefs, and to conduct the entire administration of the tract in question, subject only to such orders and instructions as he may receive, from time to time, from the Governor General in Council. The following rules have accordingly been enacted, to take effect from the date of their promulgation, in the manner and within the limits therein described.

II. The tract of country now comprised in the Thannah jurisdictions of Gwalpara, Dhoobree and Kurreebaree, in the district of Rungpore, is hereby declared separated from the said district: and the operation of the rules for the administration

Separating the tract of country comprised in the Thannas of Gwalpara, Dhoobree and Kurreebaree from the jurisdiction of the district of Rungpore, and declaring the operation of the existing Regulations to be suspended, except so far as provided hereafter.

nistration of the Police and of Civil and Criminal justice, as well as those for the collection of the land revenue, customs, abkaree, and stamp revenues; together with all other rules contained in the Regulations printed and published in the manner prescribed by Regulation XLI. 1793, are suspended, and shall cease to have effect therein from the date of the promulgation of this Regulation, except in so far as may be hereinafter provided.

A Civil Commissioner appointed for the North-East parts of Rungpore above described, vested with the powers of administering Civil and Criminal justice, the collection of revenue and the superintendence of the police in the manner prescribed in this Regluation.

III. The administration of Civil and Criminal justice, the collection of the revenue, the superintendence of the police, and every other branch of Government within the tract above described, are hereby declared to be vested in an Officer appointed by the Governor General in Council, and denominated the Civil Commissioner for the North-Eastern parts of Rungpore: the said Officer shall conduct the same agreeably to the principles and spirit of the existing Regulations, subject to the restrictions and modifications hereinafter provided, and to such other alterations and amendments as may, from time to time, be ordered by the Governor General in Council.

Commissioner to exercise the functions of Magistrate, and to have Criminal Jurisdiction in the trial and sentence of persons charged with offences to the extent of a Circuit Judge, but no Futwa to be required.

IV. *First.* In the administration of Criminal justice, the Commissioner shall be competent to exercise all the functions and authorities now exercised by Magistrates in respect to the apprehension and trial of persons charged with offences; and further to hold trials and pass sentence to the extent permitted by the Regulations to a Judge of Circuit: but without reference of the proceedings for futwa to a Mahomedan law officer.

Commissioner and other Officers acting under his control, shall ordinarily conform to the principles and spirit of the Regulations applicable.

Second. In the exercise of the powers and authorities above conveyed to the Commissioner, he shall ordinarily conform

form to the principles and spirit of the Regulations applicable to such subjects; so likewise the police officers and all other officers acting under his control: Provided however, that the Commissioner and all such officers shall be bound to conform to any special rules or orders that may, from time to time, be issued by the Governor General in Council, for regulating the process before trial, or the forms of trial to be observed in the case of different classes of the population, and the same shall be to all intents and purposes legal and valid. Moreover it shall be competent to the Governor General in Council to extend, limit or modify any part of the authority to be exercised by police officers, and likewise to confer on the Commissioner the power of granting conditional pardon to accomplices without previous reference to the Nizamut Adawlut, as required by the existing Regulations, or in any other way to extend or modify the magisterial and judicial functions vested in the Commissioner by the preceding Clause of this Section. An order or resolution of Government under the official signature of a Secretary to Government, shall be sufficient authority for such modification; any thing in Regulation XLI. 1793, or in any other Regulation of Government to the contrary notwithstanding.

But shall obey and conform to all special rules, and orders of Government.

Reservation to the Governor General in Council of the power of regulating sundry matters connected with the Commissioner's criminal jurisdiction.

Third. If the Commissioner shall deem an offender brought to trial before him to be liable to a punishment exceeding that which by the existing Regulations a Judge of Circuit is competent to adjudge without referring the case to the Nizamut Adawlut, he shall not pass any final sentence thereon, but shall transmit to the Nizamut Adawlut the record of the proceedings held on the trial, together with a full English report of the circumstances of the case, and of his opinion,

Proceedings in the trial of certain cases to be referrible to the Nizamut Adawlut before final sentence being passed by the Commissioner.

opinion as to the guilt or innocence of the prisoner or prisoners tried, as likewise an explanation of any special custom of the parties or witnesses that may be necessary to the proper understanding of the proceedings.

The Nizamut Adawlut how to pass judgment in such cases.

V. Upon the receipt of any trial referred by the Commissioner under the preceding Section, the Nizamut Adawlut shall, without submitting the proceedings for the futwa of their law officers, proceed to pass a final judgment, or such other order as may, after mature consideration, seem to the Court requisite and proper, in the same manner, with exception to the requisition of a futwa, as if the trial had been sent up in ordinary course from a Judge on Circuit.

Power of the Commissioner in administering Civil Justice.

VI. In the exercise of the duty of administering Civil justice within the tract defined in Section II. of this Regulation, the Commissioner shall hold a Court and proceed, in cases wherein persons not of the race of Garrow Mountaineers or other rude tribes are exclusively concerned, according to the existing Regulations subject to the modifications provided for by this Regulation, observing as far as practicable the rules prescribed for Zillah Judges holding and presiding in the Adawluts of the Country: Provided however, that there shall be no limit to the amount for which a suit shall be cognizable by the Commissioner, and an appeal from his judgments shall not lie to the Provincial Court. If the stake or interest involved (calculated according to the rule contained in Section XIV. Regulation I. 1814,) do not exceed in amount or value the sum of 5,000 Sicca Rupees, the decision passed on the case by the Commissioner shall be final. If the interest involved calculated as above, exceed in value or amount the sum of

Suits exceeding in amount Rs. 5,000 to be appealable to the Sudder Dewanny Adawlut.

5,000

5,000 Rupees, an appeal shall lie in such cases direct to the Sudder Dewanny Adawlut, who will proceed in the hearing and adjudication thereof, in the same manner as in the case of appeals entertained by the Court from judgments of the Provincial Courts of Appeal. The Sudder Dewanny Adawlut shall likewise be competent to grant a special appeal in cases of a less amount than 5,000 Rupees, should there appear, either on the face of the decree or from circumstances established to the satisfaction of the Court, substantial reason for concluding that there has been a failure of justice in the award of the Commissioner.

Special Appeal allowed if under 5,000 Rupees.

VII. If the parties in a Civil action be Garrow Mountaineers or of any other similar rude tribe, or if either of them be of that description, the form and process that may be sanctioned and prescribed by the Governor General in Council, shall be adopted in the trial and adjudication of the matter at issue, and in the execution of the award ; and any Civil judgment that may be passed according to such form, shall have full authority and effect in the same manner as a decree passed by a competent Court of final jurisdiction.

The process and form of trial in Civil actions between Garrows, and the like, or in which one of the parties may be of this description, to be as prescribed by the Governor General in Council.

VIII. *First*. In the conduct of the revenue duties of the tract of country placed under the Commissioner, as well those relating to the customs, abkaree, stamps and other miscellaneous items, as to the land revenue, the Commissioner shall observe the rules and principles of the general regulations, with such limitations and restrictions as to the authority to be exercised by himself, as may be provided in the instructions he may receive, from time to time, from the Governor General

Rules under which the Commissioner shall conduct the Revenue duties in the tract of the Country placed under his control.

Proviso, declaratory of the competency of Government to separate tracts occupied by Garrows or the like from Zemindarees, and to discontinue the levy of cesses or the like, giving compensation when justly due.

neral in Council: Provided however, that it shall be competent to the Governor General in Council to direct the separation, temporarily or permanently, of any tract of country occupied by Garrow Mountaineers or other rude tribes from the estates of any neighbouring zemindars, to which the same may now be claimed to be attached; also to discontinue the collection by zemindars or others of any cesses, tributes or exactions, on whatsoever pretence the same may be levied from such people, and to make arrangements either for the remission of the same or for their collection direct by the officers of Government, making such compensation to zemindars or others justly entitled thereto for the relinquishment of the same, as may to him seem most equitable and proper.

No suit shall be entertained by any Civil Court within the tract of Country subject to the Commissioner on account of acts done as above.

Second. No suit or action shall be entertained by any Civil Court having jurisdiction, or that may hereafter have jurisdiction within the tract of country subject to the authority of the Commissioner, on account of any act of the above description done under the authority of the Governor General in Council.

All questions regarding the application of the rules in matters connected with the tract of the Country described in Section II. of this Regulation, shall be referrible to the Governor General in Council.

IX. In all matters connected with the tract of country specified in Section II. or with the races of mountaineers and rude tribes above described, if from the want of any special provision or from doubts, as to the applicability of the rules in existence, any difficulty shall arise as to the course to be pursued, a reference shall be made to the Governor General in Council, to whom it shall be competent to prescribe by an order under the official signature of a Secretary to Government, what specific measures shall be adopted in the particular instance, as well as to annul, modify, and explain any existing rules or orders.

A. D. 1822. REGULATION XI.

REGULATION *for modifying and explaining the existing Regulations relative to the sale of Land for the recovery of arrears of Revenue; for declaring Government not to be liable for any errors or irregularities in the proceedings of the Courts of Justice; and for making further provision for the conduct of the Revenue Officers in certain cases:*—PASSED *by the Governor General in Council on the 22d November* 1822; *corresponding with the 8th Aughun* 1229 *Bengal Era; the 23d Kartick* 1230 *Fussily; the 9th Aughun* 1230 *Willaity; the 8th Kartick* 1879 *Sumbut, and the 7th Rubee-ul-awul* 1238 *Higeree.*—

Preamble.

THE existing Regulations relative to the public sale of Estates for the recovery of arrears of Revenue, appear to be defective, inasmuch as they do not specify the conditions, which are to be held necessary to the validity of such sales, nor define, with sufficient precision and accuracy, the nature of the interest and title conveyed to the persons purchasing

purchasing estates so sold; various doubts have accordingly arisen on both these questions, which it appears necessary and proper to remove by a legislative enactment; and it is also expedient further to regulate the course of proceeding to be hereafter followed in regard to sales of the above description, in order better to guard against error or irregularity in the conduct of them. With the view too of securing the Zemindars from the risk of that injury and hardship which experience has shewn, must in many individual cases result from the absolute confirmation of sales in all cases in which the prescribed conditions may have been observed; it has appeared desirable, distinctly to vest the Revenue Boards with the power of annulling sales made by the Collectors under their authority, not only in cases in which they may appear to have been irregularly conducted by those officers, but also in cases in which the defaulter may clearly appear to have been defrauded or deceived by his own agents, or in which the confirmation of the sale may from any cause appear to be a measure of excessive severity, or to be otherwise inexpedient or improper; cases also have occurred in which the Revenue Officers of Government having been executively employed in giving effect to orders issued by the Zillah Adawluts, which the decision of the superior Courts has declared to be irregular and illegal, Government has been held responsible for the acts done by the said officers in virtue of the orders aforesaid, contrary to the real intent and meaning of the existing law, and it has therefore become necessary to declare, that Government is not liable for any errors or irregularities in the proceedings of the Courts of Justice, whether the Revenue Officers may or may not be employed in giving effect to the proceeding or order, deemed to be erroneous or irregular. It has further

appeared

appeared expedient to make certain other additions and modifications in the Regulations prescribed for the conduct of the Revenue Officers. With a view therefore to the above objects, the following rules have been enacted by the Governor General in Council, to be in force from the date of their promulgation throughout the provinces of Bengal, Behar, Orissa, and Benares, and in the Ceded and Conquered Provinces, including the district of Cuttack.

II. *First.* Sections XIII. XXV. XXVI. XXVII. and XXVIII. Regulation XIV. 1793. Sections XIX. XXIX. XXXII. XXXIII. XXXIV. Regulation VI. 1795. Regulation V. 1796. Section XXVIII. and Clauses II. III. IV. and V. Section XXIX. Regulation VII. 1799. Sections III. V. VI. VII. and XI. Regulation I. 1801. Sections II. III. IV. V. VI. VII. VIII. IX. X. XI. XIII. XIV. Regulation XXVI. Clause V. Section XVII. and Sections XIX. and XXIX. Regulation XXVII. 1803. and Regulation XVIII. 1814, are hereby rescinded.

Certain parts of the existing Regulations rescinded.

Second. Regulation XII. 1796, and Regulation V. 1800, in so far as the same are applicable to public sales for the recovery of arrears of Revenue, together with such parts of Sections III. XXIV. and XXV. Regulation XIV. 1793. Sections VII. and XXXI. Regulation VI. 1795. Section XXIII. Regulation VII. 1799. Section XXXI. Regulation XXVII. 1803, and of any other of the Regulations in force which prescribe, or shall be construed to prescribe, that the Revenue Officer shall issue any Tullub Chittee, Dustuk or other process of demand on persons from whom arrears of Revenue, or other demands similarly recoverable, may be due, or that they shall attach the

Further provisions rescinded.

estates

estates or farms in the possession, or management of such defaulters, before bringing their property to a public sale, as well as such part of the abovementioned and any other Regulations which restrict, or can be construed to restrict, the powers of the Revenue Officers in selecting lands for sale on account of arrears of public revenue, or the period of sale, and which may not be re-enacted by this Regulation, are hereby rescinded.

Rules rescinded or modified by the said Rules, or provisions still to be repealed or modified as heretofore.

Third. The several rules and enactments rescinded, or modified by the provisions above recited, or any of them, shall be and continue repealed, or modified as heretofore.

Declaration as to the liability of Lands to public sale for arrears of revenue.

III. *First.* The Regulations of Government having made the estates of proprietors under engagements with Government primarily answerable by public sale for any arrear in the monthly payments of the Revenue, as defined in Section II. Regulation III. 1794, and in the corresponding enactments of the Regulations applicable to Benares, and to the Ceded and Conquered Provinces, and the property of all persons under stipulations with Government, whether as proprietors for their own estates, or as farmers or managers, and their sureties, being likewise answerable for such arrears, it is hereby declared and provided, that the Collectors of land Revenue shall, with the sanction of the Board of Revenue, or other authority exercising the powers of that Board, be entitled to have recourse to this process for the realization of any arrear, or interest thereon, or other Revenue demand that may be due from parties so under engagements, whether any other revenue process shall, or shall not have been issued, and at any time of the year when the same may be unpaid, subject only to such rules and restrictions as are specifially prescribed in this, or any other Regulation.

Second.

Second. Estates under the superintendence of a Court of Wards, shall not be liable to sale for arrears accruing during the period they may be so managed.

Estates while under Court of Wards not liable to sale.

Third. Joint estates shall not be liable to sale for arrears that may accrue during the progress of a Butwarra or partition, until the expiration of the year within which the arrear may become due. In like manner, estates under attachment by order of the Courts of Justice, shall not be liable for sale in the middle of the year, for arrears accruing during the period of such attachment.

Joint estates and estates under attachment, only to be sold at the end of the year.

Fourth. Provided further, that it shall be competent to the Governor General in Council to impose on the Revenue Boards and subordinate Revenue authorities, such further restrictions in regard to the sale of lands for arrears of Revenue, as may from time to time appear necessary; and if any sale shall be made by any Collector or other Officer in contravention of an order or instruction issued by Government, such sale, tho' not voidable under the provisions of Section V. shall nevertheless be liable to be annulled by the Governor General in Council at any time within three years of the date of sale.

Further restrictions in regard to sale of lands may be exercised by Government and by Boards, and Government may annul sales at any time within three years, if made in contravention of such instructions.

IV. Sales of land for arrears of Revenue shall be made under the following rules by the Collectors of Revenue, or other Officers authorized in that behalf by Government, and no sale made in conformity with the said rules, and duly confirmed by the superior Revenue authorities, shall be liable to be annulled, set aside, or altered by any Court of Judicature, on account of any error or irregularity in the previous process

Sales for arrears of Revenue, to be made by Revenue Officers.

And not to be annulled except on ground specified.

process used for the recovery of the arrear claimed, or on account of any error, irregularity, or omission whatsoever, not involving the failure of one of the conditions hereinafter specifically declared to be essential to the validity of public sales; but any person, who may consider himself aggrieved by any act, or circumstance connected with a sale not amounting to such failure, shall have his remedy in a personal action for damages against the individual by whom, or by whose fault he may have been endamaged.

Conditions necessary to validity of sales.

V. The conditions of the validity of a public sale for the recovery of arrears of Revenue, are the following:

1st. That the lands or mehal sold form the estate on account of which the arrear has accrued, or are parcel of such estate, and be liable to sale consistently with the principle and provisions declared and enacted in this Regulation; or, if not the estate or parcel of the estate as aforesaid, be the property of the defaulter or his surety, or being the property of such defaulter or surety, shall have been specially pledged to answer the demand in arrear.

2d. That permission to make the sale shall have been received from the Boards of Revenue, or other authority exercising the powers of those Boards, previously to the day of sale.

3d. That due notice of the demand and of the intention of the Collector to sell, as well as of the time and place of sale, shall have been given, as hereinafter provided.

BENGAL SECRETARIAT LIBRARY

4th. That some part of the amount demanded in the notice, or of the interest payable thereupon, shall be due at the time of the lot being put up.

5th. That the sale shall be made at the time and place stated in the advertisement, and with due publicity and freedom, as hereinafter specifically directed.

Collector desiring to sell, how to apply for the Board's permission.

VI. *First.* Whenever a Collector, or other Officer shall deem it necessary to resort to a sale of lands for the recovery of arrears of Revenue, he shall transmit to the Board of Revenue, or other authority exercising over him the powers of that Board, a statement containing the name of the mehal or mehals proposed to be sold, the name of the registered proprietor, or proprietors, or such of them as may be ordinarily used in designating the estate, the amount of the Government jumma, and of the arrear due. If the lands proposed for sale form a parcel, or fractional part of an estate, the Collector or other Officer aforesaid, shall further explain, for the information of the Board or other authority aforesaid, the grounds on which he may have fixed the proportional assessment. Along with the said statement the Collector, or other Officer aforesaid, shall transmit a copy of the notice of sale, which he may have issued or may propose to issue, under the rules hereinafter prescribed. The Board of Revenue, or other authority exercising the powers of that Board, on receiving the above statement, will determine on the propriety of resorting to a public sale. If they deem it necessary or proper to make the sale in the manner proposed, they shall communicate to the Collector, authority to that effect: If there shall be any cause why the sale should not

Statement of lands for sale to be forwarded.

With copy of notice.

Board how to proceed on receiving statement from Collector.

Board may postpone sale.

not take place on the day fixed by the Collector, it shall be competent to the Board or other Revenue authority aforesaid, at any time previously to that date, to appoint any subsequent day, and they shall in such case instruct the Collector to give notice of the sale being so postponed, in the manner hereinafter prescribed for cases of postponement, causing at the same time, a notice of the postponement to be inscribed on the advertisement transmitted by the Collector for publication in their Secretary's Office. It shall be competent to the Board, or other authority aforesaid, in like manner, repeatedly to postpone the sale of any estate, in the event of any thing arising to render it expedient to do so.

Causing notice to be given of postponement.

Repeated postponement may be made by the Board.

Second. Provided however, that if the Board, or other authority aforesaid, shall see reason to direct the sale of a portion only of the lands proposed by the Collector to be sold, or of different lands, or to make any alteration in the amount of the jumma proposed by the Collector, or to change the place of sale, it shall in such case be necessary, that a fresh lotbundee be prepared, and that a notification of the proposed sale be published in the district, and at the office of the Secretary to the Board, or other authority aforesaid, in the same manner and for the same period, as is prescribed for the publication of Advertisements issued, in the first instance by the Collectors.

If alteration made in the mehal to be sold, it's jumma, or in place of sale, fresh publication necessary.

Third. No sale, whether made before or after the promulgation of this Regulation, shall be liable to be annulled on the ground of informality, or omission in the communications that may have passed between the Collector and controlling Board: Provided that the Board shall have actually given authority to proceed to the sale of the specific lot sold.

Sales of land not liable to be annulled on ground of informality or omission in communications between Collectors and Board, provided authority to sell have been given.

VII. *First.*

VII. *First.* The following rules shall be observed in issuing notice of sale, after leave shall have been obtained in the manner prescribed in the preceding Section: Provided however, that whenever a Collector proposing to have resort to a public sale of any estate for arrears of Revenue, shall deem it desirable to avoid the delay incident to a previous reference to the Board, then, provided the arrear, or any part of it shall have been due not less than fifteen days, it shall be competent to the Collector to issue the notice, of his own authority, without waiting the sanction of the Board of Revenue.

In what cases Collector may advertise, without previous reference.

Second. Every notice of the sale of lands for arrears shall, in case the lands be situated in Bengal or Orissa, exclusive of Cuttack, be written in the Persian and Bengallee languages; if in Cuttack, in Persian and Ooreea; and if in any of the other Provinces, in Persian and Nagree. The aforesaid notice shall contain a statement of the demand on account of which the sale is to be made, and a specification of the estate or mehal to be sold, and of the jumma assessed on it, as well as of the day and place of sale.

Notice of sale what to contain, and how to be issued.

Third. A copy of the notice shall be stuck up in some conspicuous part of the Collector's Cutcherry, or place of office for the time being, and another copy shall be sent to the Judge, or other person in charge of the Adawlut of the district in which the lands, or some part of them may happen to lie, who shall on receipt of it, cause it to be similarly exposed in a public part of his Cutcherry or Adawlut; a third copy shall be sent to the Board of Revenue, or other authority exercising the powers of that Board, for publication in the

Copy of notice to be stuck up in Cutcherry of Collector, and in Court.

And in office of Board.

Publication made on estate.

Manner of publication in Mofussil.

the office of it's Secretary. A like notice shall be sent by a single peon to be published on the estate or in the Mofussil, in the manner following: The peon shall first proceed to the Cutcherry or residence of the defaulter, and upon obtaining a receipt under his hand, or under that of his manager, shall leave the notice in the possession of either of those persons. If the peon shall not be able to obtain a receipt as above, he shall proceed to the Cutcherry of the Canoongoe, Moonsif, or Thanadar, within whose jurisdiction the said Cutcherry or residence may be, and shall cause the notice to be affixed to some accessible and exposed part of the building, bringing away a receipt from the officer at whose station the publication may have been made. Provided however, that in case any malgoozar or malgoozars should give in a written application to the Collector, praying that notices of arrears and of sales on account of the Revenue due from them, either on account of their estates generally, or for any estate specifically named, may be served on their agents, or at the house of any mahajun at the sudder station, or other person duly authorized on the part of such malgoozar, or malgoozars, to receive and forward the same to him or them; then the receipt of the person or persons so authorized shall be deemed a full and sufficient acknowledgement of the service of such notice, and the tulubana leviable on the issue of the same, shall be calculated with reference to the distance of the residence of such authorized agents from the Collector's office.

What publication sufficient for validity of sale.

Fourth. No sale shall be liable to be annulled on the ground of any insufficiency of the notice given, provided it be satisfactorily proved, that the copy of the notice required

to

to be sent to the Court for publication, was received by the Judge, or other person in charge of the Adawlut, for a period of thirty days prior to the date of sale; and provided there be sufficient evidence, that the notice directed to be sent into the Mofussil, was received by the parties, or by any manager, or agent on their part, or was published at a public Cutcherry after the manner provided, on a date prior to that on which the sale may have taken place, by not less than twenty days, or provided it be satisfactorily proved by other circumstances, or there be sufficient ground to presume, that the defaulter was fully aware of the demand being outstanding against the mehal, and of the intended sale, for a like period before the day of sale.

Course to be followed by the Collector, in case the registered proprietor of an estate ordered for sale be a Native officer, or Soldier on the regular Military Establishment of this Presidency.

Fifth. Provided however, that if any of the registered proprietors of an estate, which a Collector may propose to bring to sale for arrears of Revenue, shall be entertained as a Native Officer or Soldier in the regular Military establishment of this Presidency, and shall have notified the circumstance to the Collector in the manner required by Clause I. Section IX. Regulation XV. 1816, it shall be the duty of the Collector to follow the course prescribed in that Section, before proceeding to the actual sale of the estate.

What notice required in cases of postponement.

VIII. *First.* In case of any sale being postponed, whether by orders of the Board of Revenue, or of any other authority exercising the powers of that Board, or in consequence of the Collector's seeing reason to put off the sale to a subsequent date, the Collector shall, on or before the day originally fixed for the sale, stick up in his own Cutcherry an advertisement notifying the postponement, and the date on which

which the postponed sale is to take place, and shall transmit a counterpart to the Judge of the district, who shall cause it to be similarly published at his Court house. This rule shall not however, apply to cases in which any sale may have been postponed in consequence of any alteration in the lands advertised for sale, or of the jumma assessed thereon, or of the place of sale, in which case, a fresh lotbundee and advertisement will be necessary, as above provided.

In what case fresh Advertisement to be issued.

Second. If, after the day appointed for the sale shall have arrived, and the assembly shall have been convened, the Collector shall publicly adjourn the meeting, or put off the sale of any estate from day to day, either on account of illness, or because of the day's having closed, or from the press of other business, or as an indulgence to, or at the request of the defaulters, or any of them, or for any other cause, which he may deem good and sufficient in any such case, it shall be the duty of the Collector to cause a notification of the circumstance to be inscribed in the original advertisement made in his Cutcherry, over against the name of the estate or estates, of which the sale may be put off: Provided however, that if such adjournment shall take place after the bidding for any lot shall have begun, and before the lot is knocked down, the Collector shall hold a proceeding recording the last offer, and the name of the bidder; and if he resume the sale, at the adjourned meeting, he shall again put up the lot at the price so offered, unless the bidder shall have formally retracted his bid, or having been thrice called, shall not be forthcoming.

What notice to be given in case of adjournment.

Proviso for cases in which the bidding may have commenced.

IX. In regard to sales, which may have been made prior to the enactment of this Regulation, the decision of the Courts

Declaration as to the application of the above principles to past sales.

Courts on the question of their validity, in so far as relates to the adequacy of the notice, which may have been served on the party, or otherwise issued, shall be guided by the principles stated in the fourth Clause of the 7th Section of this Regulation, that is to say, no sale shall be annulled by any of the said Courts on the plea of want of due notice, provided it can be proved, or there be sufficient reason to presume, that a notice of sale in any one of the languages prescribed by the Regulations, was served on the defaulter, or affixed or published in any part of the estate sold, one month prior to the date of actual sale, and that the purport of the notice was understood by the defaulter, his agents, or two or more of the residents of the place, who may have witnessed the publication. Provided further, that in cases in which any sale made previously to the enactment of this Regulation, may have been postponed from the day appointed by the Advertisement to the next or ensuing day of public business, if the meeting was publicly adjourned, and the persons assembled were fully informed of the postponement of the sale, and attended accordingly in such number and manner as, that the second meeting may be fairly deemed to have been a continuance by adjournment of the first, such sale shall not be liable to be set aside as void or invalid, upon any plea that the notice, or notices required in cases of postponement were not duly served or published.

X. *First.* Previously to putting up any estate to sale, it shall be the duty of the Collector, or other Officer holding the sale, to satisfy himself that some part of the advertised arrear, or of the interest and charges due on account of it is still unpaid. If the defaulter or any one in his behalf shall deny

Before sale, arrear to be ascertained.

deny the existence of an arrear, it shall still be competent to the Collector, or other Officer to proceed with the sale, unless the sum demanded by him shall be paid in, or a tender made of Government Securities, or Notes of the Bank of Bengal, equivalent to the entire demand, and five per Cent. in addition, to cover eventual charges, or unless a certificate be furnished under the seal and signature of the Judge of the district, shewing the amount to have been deposited in Court.

Provision for sales held at the office of the Board.

Second. Provided however, that in cases of sales held at the office of the Secretary to the Board of Revenue, or other similar authority, no payment or deposit made in the Zillah shall be deemed sufficient to stay or invalidate a sale, unless the same shall have been made at such a period before the date of sale, as to enable the Collector, or other Officer receiving the same, to communicate the information to the Board by the ordinary Dâk, or unless the party shall himself produce to the Officer conducting the sale, a certificate of such payment, or deposit having been made under the seal and signature of the Collector or Judge of the district, before the lot is put up for sale.

Parties paying, or depositing amount demanded, may sue to recover.

Third. Parties paying or depositing as above, the amount demanded from them, will of course be entitled to sue under the rule contained in Section XXIII. of this Regulation, provided they at the time deny the justness of the demand in writing, and proceed within the prescribed period:

Proviso.

But after a sale shall have been made, it shall not be liable to be annulled by any Court of Judicature, on the plea that no arrear was justly due, unless the said plea shall have been preferred to the Collector or the Board prior to the

sale

sale, or previously to it's confirmation by the latter authority, or good and sufficient reason be shewn, why such denial could not be made. Provided also, that no claim to abatement or remission of Revenue, unless the same shall have been allowed by the authority of Government, nor any private demand, or cause of action whatsoever, held or supposed to be held by a zemindar or other engager against Government, shall be allowed to bar, or in any way affect the right of Government and it's Officers, summarily to enforce the payment of the public Revenue by the sale of the lands, or property of the person, so long as any part of the assessment for which such zemindar, or other person aforesaid may be liable, shall remain undischarged.

Declaration as to arrears accruing under attachment, or during dispossession.

XI. All estates for which a settlement shall have been made, being liable for the Revenue assessed upon them to the extent of the interests possessed by the person or persons who may have engaged with Government, as ratified and confirmed by the act of settlement, and by those deriving title from such person or persons, unless otherwise especially provided, no sale shall be annulled on the plea that the arrear demanded accrued, while the engager or his representative was divested of possession and management of the estate sold by the act of an individual, or by the Collector or other Officer acting under the order of a Court of Judicature, or attaching the estate by virtue of the powers vested in him by this, or any other Regulation.

Sales to be made conformably with Advertisement.

XII. Sales shall be made at the place and time specified in the Advertisement. If the sale shall have been advertised to take place at the Board of Revenue, or other authority

thority exercising the powers of that Board, then it shall be held in the building or tent used as an Office by the Board, or authority aforesaid, or in some convenient and public apartment, or other open and convenient place thereunto belonging, or adjoining, in the presence of the Secretary, or that of one of the Members of the Board, or other authority as aforesaid, or of a Covenanted Officer duly empowered by the same to hold the sale. If the sale shall have been appointed to take place in the zillah, then it shall be held in the presence of the Collector or other authorized Covenanted Civil Servant in public Cutcherry, that is to say, in some building or tent used as an office and open to the public, or other open and convenient place thereunto belonging or adjoining. Provided also, that in the morning of the day of sale, and whilst the sale shall be going on, the Collector or other Officer shall cause a flag to be exhibited, or such other signal to be given at the door, or gateway of the office where the sale may be conducted, as the Board of Revenue may direct.

By whom, and where to be made, if at Board.

And by whom, and when in zillah.

XIII. When the bidding shall have commenced, it shall be the duty of the Collector to receive the bid of every one without enquiry, but prior to knocking down the lot and concluding the sale, he shall call upon the person, who may have made the last offer, in order to satisfy himself on the following points.

Every one's bid to be received.

But before concluding sale, Collector shall satisfy himself.

1st. That the bidder has the means of making the deposit hereafter directed to be taken.

1st. That bidder can make required deposit.

2ndly. That he is not the defaulter, or an officer of his

2d. That he is not a person forbidden to purchase.

his own establishment, or a person acting on behalf of either the defaulter or such officer.

3dly. That the person or persons named, is or are the real bonâ fide purchaser or purchasers on their own account and risk.

3d. That the ostensible purchaser is the real one.

XIV. *First.* A deposit of 15 per cent. on the amount bid, or such other rate as the Board of Revenue, or other similar authority, may from time to time direct, shall be required by the Collector from the person in whose name any lot may be knocked down, immediately on declaring the sale concluded, or as soon after, as the Collector may think necessary.

What deposit to be made by purchasers.

Second. If the person who may have made the last offer shall not, when called upon, forthwith tender the prescribed deposit, the Collector shall be at liberty to reject the bid, and to put up the lot again at the amount of the next highest offer. The person who may have made such offer, shall have the benefit of his bid, and be held bound to maintain it, by tendering the required deposit, if no higher offer shall be made; and on his failure to do so, the Collector shall be competent to have recourse to the next highest bidder: provided however, that it shall at all times be competent to the Collector, at his discretion, to commence the sale of the estate de novo, instead of concluding the sale with the next highest bidder.

If deposit not tendered when required, the lot to be again put up.

Third. Any person bidding at a public sale, who upon being called upon to conclude his purchase and lodge the

Persons failing to make deposit, how punishable.

the prescribed deposit, may be unable, or may refuse to do so, shall be deemed guilty of contempt, and the Collector shall be competent to impose a fine of an amount not exceeding 100 Rupees, for every such offence, and if the fine be not paid, to send the delinquent to the Judge of the district, who shall confine him in the civil jail, until the fine is paid, or for a period not exceeding fifteen days.

In what cases Collector may refuse to conclude a sale with highest bidder.

XV. *First.* If at a public sale for arrears, the Collector shall see reason to believe, that the highest bidder, or person with whom he is about to conclude a sale, is purchasing for the defaulter, or has given in a fictitious name, concealing that of the true purchaser or purchasers, or has stated as the purchaser the name of a person other than the party or parties with whose money, at whose risk, and for whose benefit the purchase may have been made, or has concealed the name of any such party, it shall be competent to him to refuse to conclude the sale. In every such case however, he shall hold a proceeding in the Persian language, stating distinctly, the grounds of his belief, and the reason of his setting aside the individual, and disallowing his purchase: Provided also, that in such cases the party so bidding, shall be liable to a fine equal in amount to the deposit, which would have been paid, had the sale been concluded, at the price bid, or to such other fine not exceeding that amount, as the Board may, on the report of the Collector, see fit to impose; all such fines adjudged by the Board, shall be recoverable by the process in use for the recovery of arrears of revenue from sudder farmers and their sureties.

Collector in such cases, to record the grounds of refusal.

Penalty for bidding by defaulter, or Benamee if purchase be disallowed.

Persons whose purchase is disallowed by Collector, may appeal to the Board.

Second. It shall be in the power of any person whose

whose purchase may be disallowed, to appeal from the Collector's order to the Board of Revenue, or other authority exercising the powers of that Board, and provided he give in to the Collector a written protest, claiming the lot before the breaking up of the Cutcherry, or at the next sitting of the Collector, or transmit a petition to that effect to the Board within 24 hours of the conclusion of the sale, it shall be competent to the Board, or other authority aforesaid, to direct the sale to be concluded with the party disallowed, to the prejudice of any other purchaser at an inferior price.

The term defaulter explained, to mean the person, with whom settlement has been made by Government, or his representatives.

XVI. The term defaulter, wherever used in this Regulation, shall be deemed and considered to designate the person or persons with or on account of whom the settlement of the land revenue may have been concluded with Government, or the heirs, successors or assignees of such person or persons, in possession of the interest acquired or confirmed by such settlement: And it shall not be construed to include those proprietors, putteedars, village zemindars, or the like, who at the time of the settlement held distinct properties, though paying their revenue through the recorded malgoozar, save and except in so far as those persons may be expressly declared responsible to Government.

Sales not to be set aside on plea of wrongful disallowance, but defaulter, if aggrieved, may sue for damages.

XVII. No sale shall be liable to be reversed on account of any proceedings, or order of the Collector, or of the Board of Revenue, or other authority exercising the powers of that Board, touching the question of, whether a purchase is to be allowed or not; nor shall any action lie against Government on account of any such proceeding, or order.

XVIII.

Collector how to proceed in the case of purchase by Revenue Officer.

XVIII. *First.* Should the Collector or other person conducting the sale, either at the time of concluding the sale or at any subsequent time before the sale may have been confirmed by the Board of Revenue, or other authority exercising the powers of that Board, see reason to believe, that the real purchaser is a person on his establishment; or in any way connected with the management of the collections of the zillah or pergunnah within which the lot sold may be situated, he shall nevertheless conclude the sale and realize the purchase money, having recourse, if necessary, to the process prescribed for the recovery of arrears due from sudder farmers or their sureties. It shall in such case be his duty to institute an immediate investigation, in order to bring the matter to proof, and the result of any proceedings that may be held upon such an investigation, shall be submitted to the Board of Revenue, or other authority aforesaid, who will determine whether the fact be established, or otherwise. Should they consider it to be proved, that the real purchaser is an individual employed at the time on the Collector's establishment, or otherwise in the collection of the revenue of the local division within which the lot is situated, the Board, or other authority aforesaid, shall report the circumstances to the Governor General in Council, who will, if he deem it expedient, direct the lot to be attached, and held for Government, or to be resold or escheated, or otherwise disposed of at his pleasure. The amount of the purchase money shall in that case be credited to the defaulter in the same manner as if the sale stood good, and if the purchaser contest the fact of his being a person prohibited from

Governor General may confiscate.

Purchaser may contest by suit in Court.

from purchasing, he shall have his remedy in an action at law, for the recovery of any amount he may have paid into the Treasury, with interest and damages.

Collector how to proceed, on discovery of Benamee purchase, before delivering possession.

XIX. If at any time after the conclusion of the sale and before the receipt of the Board's confirmation and the delivery of possession, the Collector shall see reason to believe, that the name or names given in at the time of sale was, or were other than the name or names of the real bonâ fide purchaser, or purchasers, he shall be competent to stay delivery of possession, and to institute an investigation to bring the matter to proof. On completion of the enquiry, he shall communicate the result to the Board of Revenue, or other authority exercising the powers of that Board, who shall be competent to annul the sale, and to direct the lot to be resold, and also to impose upon the party, who bid at the sale, such fine as they may see fit, not exceeding the amount of the deposit paid, or payable on the price at which the sale was concluded. The fine so imposed shall be realized from the deposit, if it shall have been paid, or shall be recoverable, if the deposit shall not have been paid, by the process in use for the recovery of arrears of revenue from sudder farmers, and their sureties.

After possession given, the purchaser shall not be ousted without suit in Court.

XX. *First.* When the Board of Revenue, or other authority exercising the powers of that Board, shall have confirmed a sale, and possession shall have been given to the purchaser, he shall not be liable to be disturbed on the plea of any illegality in the purchase, excepting by decree of a Court of Justice in a regular suit.

Second.

Process to be followed in case of Benamee purchase discovered after possession given.

Second. If at any time after a sale may have been confirmed and possession given, it shall be discovered, that the real purchaser is the defaulter, or a person other than the person who may have been designated as the purchaser at the time of sale, and the fact shall be established by a decree of a Court of Judicature, whether at the suit of Government, or of an individual, in which latter case information shall be given by the Court passing the decree to the Collector, then if Government or it's officers were not a party to the suit, it shall be competent to the Collector with the sanction of the Board of Revenue, or other authority aforesaid, to impose on the party so offending, a fine not exceeding 25 per cent. on the amount of the purchase money, or if it shall appear advisable, and provided a period of two years shall not have elapsed from the date of sale, to cancel the sale, and to dispossess the purchaser, or his representative or representatives, (if put in possession,) returning to him, or them, three-fourths of the price realized at the public sale.

Also where Revenue Officer may purchase.

Third. If after possession has been given, it shall be proved by a decree of Court, that an estate has been illegally purchased by a Revenue Officer of Government, whether the suit shall have been instituted by the Collector on the part of Government, or by the former owner of the estate sold, or by any other party, who may be induced to prosecute by the hope of reward, by any, or all of which persons, a suit to enforce the prescribed penalty may be brought, the court shall, in case there be no appeal lodged from the decree, or if there be appeal, the Court passing the final judgment shall forward the decree to the Governor General in Council, in order that a confiscation of the estate may be declared,

clared. The Governor General in Council will be at liberty to dispose of any estate so confiscated, according to his pleasure.

Collector how to proceed, if purchase money be not paid in 10 days.

XXI. *First.* The entire amount of the purchase money shall, in all cases of sale for arrears of the public Revenue, be made good by the 10th day from the day of sale, and if the whole sum, including the amount deposited, be not made good before noon of that day, it shall be competent to the Collector on the afternoon of the 10th day, or at such subsequent period as the Board of Revenue, or other authority exercising the powers of that Board, may from time to time direct, to notify by beat of drum, or by the issue of advertisements, or in such other manner as the Board or other authority aforesaid may direct, that the estate will be again exposed to sale on any subsequent day on which a sale of other lands may have been ordered to take place; and unless the first purchaser shall fully account to the satisfaction of the Collector, or of the Board, for his failure to complete his purchase, the Collector shall and may sell the estate so advertised for resale, at the risk of that person, who shall on his default forfeit the amount he may have already deposited, and all claim to the possession of the estate, as well as to all excess that may be realized at the second sale beyond the price at which the lot may have been sold in the first instance. If the price realized at the second sale be less than that of the first, the difference shall be leviable from the first purchaser by any of the processes authorized for realizing an arrear of the Government Revenue; the amount when recovered to be added to the purchase money for the benefit of the defaulter, and if there is an advance on the

Estate to be resold at risk of first purchaser.

the resale, it shall be carried to the account of the defaulter.

Or restored to late proprietor.

Second. Provided also, that in such cases it shall be competent to the Collector, with the sanction of the Board, instead of reselling an estate, the purchaser of which may so fail to make good his purchase, to restore the estate to the original proprietor, on his discharging or making satisfactory arrangements for the liquidation of any arrears, which may be due therefrom, together with interest and all expences incurred by the sale, or other authorized charges, for which he may be justly liable.

Purchase money how to be appropriated.

XXII. When the purchase money payable on account of any estate sold for arrears of revenue, or resold on failure of the first purchaser, shall be realized, the balance on account of which the sale may have been made, as well as any former balances remaining due from the estate, with all interest and charges up to the day of sale, and also (unless otherwise specially stipulated) any subsequent kists that may have fallen due up to that date, shall first be made good to Government therefrom. The residue shall belong to the defaulter or defaulters, and be payable to his or their receipt upon demand.

Responsibility of purchaser for the Government Revenue, from what time to commence.

The purchaser will be answerable for the entire kists of the Government Revenue that may be due on account of the month in which the sale is held, (unless otherwise specially stipulated), and for all subsequent kists;

Under tenants not to pay any rent falling due after day of sale, without authority from Collector.

and it is hereby prohibited to the ryots and under tenants to make any payments on account of rent, or revenue falling due subsequently to the day of sale, or on account of the month in which the sale may be held, to the defaulter, or to any person whatever claiming to collect them as sudder malgoozar, who

who may not bring a certificate or umulnama under the seal and signature of the Collector, authorizing him to do so, or a receipt for the advertised balance.

XXIII. Arrears that may be due at the time of sale from the under tenants to the defaulter, shall be recoverable by him by suit in Court, in the usual form; but if he shall choose to transfer his right therein to the new proprietor, the latter may proceed against the defaulting under tenants for the recovery of the amount so due by them, in the same manner as if the arrears had accrued subsequently to his acquisition of the mehal.

Arrears due to defaulter to be recovered by suit in the usual form, unless transferred.

XXIV. *First.* When any estate may be sold for the recovery of arrears of Revenue, the Collector shall, as soon as possible after the full amount of the purchase money shall have been realized, transmit a report of the sale and the accounts thereof, together with any proceedings he may have held upon the occasion, to the Board of Revenue, or other authority exercising the powers of that Board for confirmation, and no sale shall be deemed absolute, or entitle the purchaser to assume possession of the lands sold, until the confirmation of the Board, or other authority aforesaid, shall have been received.

Collector to report sales to the Board, and not to give possession until confirmed.

Second. If the party whose lands may have been sold, shall desire to contest the sale, it shall be competent to him to present a petition to the Board of Revenue, or other authority exercising the powers of that Board, at any time within thirty days from the date of sale, until which date, the Board, or other authority aforesaid, shall not issue any final

Persons objecting to sale may petition the Board, who will allow time before confirmation.

final order of confirmation. Provided also, that it shall be competent to the Board, or other authority aforesaid, to allow a further term, in case they deem it necessary, for the purpose of investigation, or any other sufficient cause.

Board may annul sales, and their order in that case shall be final.

Third. If on perusal of the Collector's proceedings or the petition of the party, the Board or other authority aforesaid, shall see sufficient ground for withholding their confirmation of the sale, it shall be competent to them to annul the sale, after making any further enquiry they may judge necessary, and they shall similarly be authorized to postpone their final orders for such time as may be requisite for the investigation of the case. The order of the Board of Revenue, or other authority exercising the powers of that Board, for annulling a sale, on whatever ground founded, shall be conclusive.

Sales may be contested by suit in Court, tho' confirmed by Board.

XXV. If the Board of Revenue or other authority exercising the powers of that Board, shall confirm the sale, it shall nevertheless be competent to the former proprietors, or any of them, to institute a suit in the Civil Court to contest it's validity, and if it shall be established to the satisfaction of the Court, that any one or more of the conditions above declared to be essential to the validity of a sale, have not been observed, it shall be competent to the Court to annul the sale: Provided however, that the Court shall not admit or take up any such plea, unless the same shall have been urged by the party in his petition to the Board, or other authority aforesaid, or unless the failure to do so, shall be satisfactorily accounted for.

But shall not be set aside, except on plea urged to the Board.

XXVI. If the party suing shall fail to establish to the satisfaction of the Court, that the sale is invalid by reason of the failure of any of the said conditions, the suit shall be dismissed; but if it shall appear to the Court, in which the decision may be passed on the original suit or in appeal, that the proceedings of the Collector or any of his Officers have been improper or irregular, and that the plaintiff has been endamaged from that cause, it shall be competent to the Court to adjudge such damages to the Plaintiff as may appear equitable, in compensation for the injury sustained by him, and in such case to declare, whether the damages shall be paid by Government, or by the Collector personally, or by any of his Officers. Provided also, that it shall in such cases be competent to the Court to submit to the Governor General in Council, a recommendation that the estate sold should be restored to the plaintiff, with a statement of the compensation, which it may appear equitable to allow to the purchaser, recording the same, with the reasons for it at length, on his decree, and whenever a case may be so submitted by any Court, and no appeal may be lodged against the judgment, it shall be competent to the Governor General in Council, if he shall be satisfied that the case is one justifying such an interference, to cause the estate to be restored to the plaintiff, on his making the compensation recommended. But if the purchaser shall desire to retain his purchase, and the case be open to a regular appeal under the general Regulations, the purchaser will of course be at liberty to appeal to the Court possessing appellate jurisdiction, in order to contest the propriety of the recommendation submitted to Government, or of any part of it. In such case, the decision of Government will be suspended until the final judgment

Suit to be dismissed, if failure of some condition of validity be not proved.

But Court may adjudge damages for irregularity or the like.

And may certify cases of hardship to Governor General in Council.

Who may restore the former proprietor,—compensation being made to purchaser in such cases.

Proviso for appeals in such cases so certified.

ment be passed; but if the purchaser shall merely contest the adequacy of the compensation proposed to be assigned to him, it shall be competent to the Governor General in Council, if he shall resolve to adopt the recommendation of the Court passing the original decree, immediately to order the restoration of the estate to the former zemindars, on payment of the amount adjudged to be due as compensation to the purchaser, and in such event, the fee payable on the institution of appeal, shall be calculated on the difference between that amount and the sum claimed, but the appellant shall not be entitled to judgment on any other point than that pleaded, viz. the adequacy of the compensation adjudged. In such case, the estate shall be held to be mortgaged in security for the eventual judgment.

Sale not to be contested by a party who has received any portion of the purchase money.

XXVII. *First.* No person shall be entitled to contest the validity of a sale after having received any portion of the purchase money; nor shall any part of the sale proceeds of any estate be liable for the debts of the late proprietor, whilst the validity of the sale may be under contest. Provided however, that it shall be competent to the purchaser, or any other party interested, after a suit may have been lodged to contest the sale, to apply to the Collector or the Board of Revenue, or other authority exercising the powers of that Board, in order to have the excess of the proceeds of sale beyond the Government demand, vested in Government securities, at the rate of the day, which in that case shall, on the final decision of the suit, be delivered to the person entitled to the same, with the interest which may have accumulated. And if no such application shall be made, interest shall not be demandable upon the unappropriated

All parties interested may apply to have the excess of the sale proceeds lodged in Government Securities.

priated amount remaining in deposit in the Government Treasury.

Second. Provided likewise, that if the sale of any estate be reversed by decree of Court, by reason of the failure of any of the conditions specified in Section V. of this Regulation, and it be determined that an arrear was due by the late proprietor at the time of sale, the estate shall not be restored to the defaulter until the amount of the arrear shall have been made good with interest, and the Government shall, on restoring the purchase money to the purchaser, pay to him the same rate of interest on the amount appropriated to the liquidation of it's demand, as may be recoverable from the defaulter. In like manner, in cases in which it may be determined that no arrear was due at the time of sale, Government shall be answerable to the purchaser for any sums so appropriated, with interest thereon.

On sale being reversed, payment of the arrears due at the time of sale with interest, to be the condition of resuming possession.

Government to be answerable for the same interest on sums appropriated in payment of arrears as may be recovered from the defaulter.

XXVIII. *First.* On receiving the confirmation of a sale by the Board of Revenue, or other authority exercising the powers of that Board, the Collector shall give possession to purchasers at the public sales of lands within their respective zillahs, by publishing at the head Cutcherry of the pergunnah, or other mehaul sold, and at the Cutcherry of the Dewanny Adawlut, in the jurisdiction of which, such mehaul, estate, or portion of estate, may be situated, a statement of the land sold, (as exhibited at the time of sale,) the name of the purchaser, the date of his purchase, and his succession to all the rights of the former possessor in the lands so exhibited. In the event of any further measures being necessary to put the purchaser in possession, the Collector shall

Rules for giving possession.

Statements to be published at certain Cutcheries.

If further measures necessary,

Zillah Judge to be applied to and possession to be given as in case of decree.

shall apply to the Judge of the zillah or city, within which the land may be situated, and on inspection of the proclamation above mentioned, the Judge shall put the purchaser in possession of the property sold to him, as therein specified, by the usual process for giving possession of landed property under decrees of the Courts of Justice.

In cases of difficulty in giving possession from disputes regarding tenures or boundaries, or of other sufficient reason,

Second. Should obstacles be experienced in giving possession of an estate sold for arrears, whether in consequence of the opposition of the former proprietors, and the difficulty of settling their claims to reserved interests in any part of the lands sold, or from the opposition of persons asserting themselves to be in possession of Talooks and other interests not affected by the process of sale for arrears, or because of boundary disputes with neighbouring zemindars, or the like, or should the circumstances of the estate to be delivered over to the purchaser appear in other respects to render it expedient that a local commission should be appointed to enquire into the claims of the parties on the spot, in order to decide what lands shall be delivered over to the purchaser, and for what he shall be referred to a civil action against the opposite party, or vice versa, it shall be competent to the Governor General in Council to depute a covenanted civil servant as a Commissioner for the said purpose, and it shall be competent to the Commissioner appointed under the provisions of this Section, to determine in the first instance the limits of the lands in which the purchaser is to be held to have acquired an interest by his purchase, and the nature and extent of the rights and interests to be possessed by him under that title, and to give possession accordingly; leaving any party dissatisfied with his award to prosecute their

Governor General in Council may appoint a Civil servant Commissioner to determine summarily the points at issue.

claims

claims by a regular suit in the Adawlut against the party in whose favor such awards shall have been given: and the awards of such Commissioner shall be maintained, and acted upon by the Courts of Judicature in all summary, or interlocutary decisions, or orders, until it shall be altered or reversed by a regular decree of Court. A Commissioner appointed as aforesaid shall be guided by the same rules as are observed by the Zilla Courts in the investigation and decision of summary suits, unless otherwise specially directed by the Governor General in Council, and shall be considered and be a Court of Civil Judicature on all things relating to the cases falling within his cognizance, and to all persons concerned in such cases, whether as plaintiffs, or defendants, or their agents, or as witnesses summoned or examined in their behalf, and he shall possess and exercise in regard to such things or persons as well as in regard to all persons whatsoever, attached to, or in attendance at his Cutcherry, the same powers and authority as are, or may be lawfully exercised in such matters by the Dewanny Adawlut of the Zilla.

Such Commissioner to be, unless otherwise provided, a Civil Court, and to have jurisdiction as such.

Third. If the late possessor shall dispute the right of the purchaser to any part of the property so delivered over to the purchaser, on the plea that it was not included in the purchase, he (the former possessor) shall be at liberty to institute a regular suit in the Dewanny Adawlut for the recovery thereof, and in like manner, if the purchaser thinks himself entitled under the sale to any land, which the Judge or officer appointed as above may not deliver over to him, he is at liberty to sue the late possessor for the same in the Dewanny Adawlut.

Disputes as to extent of purchase between purchasers and late proprietor, how to be settled.

Fourth.

Disputes between purchaser and a third party as to extent of property conveyed by sale, how to be settled.

Fourth. If any other person, not being the late possessor of the estate sold, shall claim or assert an interest in any portion of the land delivered to the purchaser, on the plea that, (whether included in the sale, or not), it formed no part of the property liable for the Government Revenue assessed on the mehal sold, he shall be at liberty to institute a suit for the recovery thereof, jointly against the former possessor of the mehal sold and the purchaser. If the lands, or other property so claimed shall be adjudged to the plaintiff, costs of suit shall be payable by the late possessor of the mehal sold, who shall further, if the land or property sued for, shall have been held by him as part of the estate sold, or shall have been clearly included in the sale, be compelled by the Court to make adequate compensation to the purchaser.

Declaration as to extent of right conveyed by sale.

1st, where an estate may be sold for arrears accruing on another mehal.

XXIX. In cases in which any land belonging to a defaulter, or his surety, may be sold for the recovery of an arrear of revenue, not being the land on account of which the arrear may have accrued, then whether the said land sold be malgoozaree, or lakheraj, the purchaser shall only be held to have acquired the rights, interests, and title possessed by the said defaulter or surety, in like manner as if the land had been sold by private sale, or under a decree of Court in liquidation of a private debt.

2d, where an estate may be sold in recovery of the revenue assessed upon it.

In the case, however, of an estate being sold for the recovery of any part of the revenue assessed upon it, since the act of sale transfers to the purchaser all the property and privileges which the engaging party possessed and exercised at the time of settlement, free from any accidents or incumbrances that may subsequently have been imposed, or have supervened thereupon, such as sale,

gift,

gift, or other transfer, mortgage, marriage settlement, or other assignment, or the like, the property and privileges possessed and exercised as aforesaid, being perpetually hypothecated to Government, for the revenue assessed thereon, no claim of right founded on any act of the original engager or his representative, or on any plea impeaching the title by which the said engager may have held, shall be allowed to impugn the right of the revenue authorities to make the sale, or to bar, or affect the title and interest conveyed to the purchaser by the sale. Provided however, that if Government shall have acquired or assumed the property of any estate subsequently to a settlement, and shall have conveyed the same to another, the estate shall be held subject to all just claims to which it was liable at the time of such conveyance: consequently the party ousted on the assumption or acquisition by Government, shall not be barred by a sale made after such conveyance of any right he may have possessed, to recover from Government the property so assumed or acquired by it. Provided also, that when any person claiming the proprietary right in any mehal shall have instituted a suit in Court for the recovery of the same, if the party in possession of such mehal shall neglect to discharge the revenue payable on account thereof, and a sale of the mehal for the recovery of the arrears due shall have been ordered by the Board of Revenue, or other authority exercising the powers of that Board, it shall be competent to the said plaintiff to make application to the Court to be put in possession of the contested mehal, on paying the arrears with interest and charges due, and giving security as hereinafter provided. The Judge on receiving such application shall cause notice thereof to be given to the defendant or to his authorized agent or vakeel, and

Proviso.

Persons claiming property, in an estate advertised, on what conditions to get possession.

and if the defendant shall not have discharged the arrear for the recovery of which the sale may have been ordered, with the interest and charges, by noon of the Court day next preceding that fixed for the sale, he shall receive the amount tendered by the plaintiff, and shall cause him to be put in possession, subject to the rules for taking security in the case of appellants and defendants, contained in Clause 4, Section XI. Regulation XIII. 1808, transmitting the amount received as aforesaid, with the necessary precept, to the Collector.

Under tenures how affected by sale for arrears.

XXX. In pursuance of the principle of holding the estate of a defaulter answerable for the punctual realization of the Government revenue in the state in which it stood at the time the settlement was concluded, (at which time, by the dissolution of it's previous engagements, Government must be considered to resume all rights possessed on the acquisition of the country, save where otherwise specially provided) all tenures which may have originated with the defaulter or his predecessors, being representatives or assignees of the original engager, as well as all agreements with ryots or the like settled or credited by the first engager or his representatives, subsequently to the settlement, as well as all tenures which the first engager may, under the conditions of his settlement, have been competent to set aside, alter, or renew, shall be liable to be avoided and annulled by the purchaser of the estate, or mehal, at a sale for arrears due on account of it, subject only to such conditions of renewal as attached to the tenure at the time of settlement aforesaid, saving always and except bonâ fide leases of ground for the erection of dwelling houses, or buildings, or for offices thereunto belonging, or for gardens, tanks, canals, water courses, or the like purposes,

Where such tenures may be derivative from defaulters.

es, which leases or engagements shall so long as the land is duly appropriated to such purposes, and the stipulated rent paid, continue in force and effect.

Governor General in Council may reserve under tenures.

XXXI. The above rules regarding under tenures are indispensible for the security of the public resources, and have accordingly been uniformly acted upon as a general and fundamental principle of the revenue system of this presidency; but as the application of the rules leaves an opening to abuse, by enabling a zemindar, who may have granted leases, or other temporary or permanent assignments of his land for a present money consideration, to annihilate the under tenures so created by him, it is hereby provided, that it shall be competent to the Governor General in Council, when he shall see proper, at any time before a sale for arrears shall have been actually made, to direct it to be made, subject to the leases, assignments, or other incumbrances with which a proprietor in possession, his ancestors, or predecessors may have burthened his assessed estate, or to such of them as shall appear proper. In all such cases, notice of the condition imposed by the Governor General in Council shall be given by the Collector at the time of calling up the lot for sale, and such further notification shall be made as the Governor General in Council may direct: Provided however, that in case the sale so restricted shall not realize an amount equal to the arrear due at the time of sale, or there shall appear ground to apprehend, that by reason of the restriction the future realization of the revenue will be endangered, it shall be competent to the Governor General in Council, at any time before such restricted sale shall have been finally confirmed under the rule contained in Section XXII. of

this

this Regulation, to direct the sale to be cancelled, and a new sale of the estate to be made without restriction. If subsequently to confirmation, occasion should arise to bring to sale for arrears an estate purchased with a restriction of the above description, it shall at all times be competent to the Governor General in Council to direct that the mehal shall be sold without any restriction beyond what may have attached to the tenure at the original settlement, or with the reservation before reserved. In the former event, should the purchase money realized by the unrestricted sale exceed in a large amount the sum obtained at the restricted sale, it shall further be competent to the Governor General in Council to direct a portion, or the whole of the excess to be paid to the persons whose interests having been reserved at the first, shall become void at the second sale.

What under tenures to be maintained.

XXXII. The above rules, or any other rules contained in the existing Regulations, by which persons are declared competent, under certain restrictions, to annul engagements contracted between former proprietors, and their under tenants, and in certain cases to enhance the rent payable by such tenants, shall not be construed to entitle the purchasers of land at public sales to disturb the possession of any village zemindar, putteedar, mofussil talookdar, or other person having an hereditary transferable property in the land, or in the rents thereof, not being one of the proprietors party to the engagement of settlement or his representative. Nor shall the said rule be construed to authorise any purchaser as aforesaid to eject a Khood Khasht, Kudeemee Ryot, or resident and hereditary cultivator, having a prescriptive right of occupancy. Nor shall a purchaser demand a high-

er

er rate of rent from an under tenant of either of the above descriptions, than was receivable by the former malgoozar, saving and except in cases in which such under tenants may have held their lands under engagements, stipulating for a lower rate of rent than would have been justly demandable for the land, in consequence of abatements having been granted by the former malgoozars from the old established rates by special favor, or for a consideration, or the like, or in cases in which it may be proved that according to the custom of the pergunnah, mouzah, or other local division, such under tenants are liable to be called upon for any new assessment, or other demand not interdicted by the Regulations of Government.

Mofussil settlements how to be made by purchaser.

XXXIII. Persons purchasing at public sale, who may be desirous of enhancing the rents of their under tenants, shall as heretofore be required in the absence of specific engagements, to serve a formal notice of their intention, as prescribed in Section IX. Regulation V. 1812;—but nothing in the said Section was intended, or shall be construed to affect the right of any individual possessing a transferable or hereditary right of occupancy to contest the justness of the demand so made: and to pay his rent as heretofore, until the contrary shall be decided by a competent court of Justice. Nor in any respect to annul or diminish the title of the ryots to hold their land subject to the payment of fixed rents, or rents determinable by fixed rates, according to the law and usage of the country.

If the lot sold be only portion of a mehal, statement of the

XXXIV. If the lot sold form only a specific portion of an assessed mehal, divided off for the purpose of sale, with

grounds of assessment to be exhibited at the time of sale, and other information to be given.

a Juma specially assigned thereon, a statement of the grounds on which such assessment may have been fixed, shall be exhibited at the time of sale, for the information of purchasers, who will likewise be entitled to inspect any records of the office at which the sale may be conducted, that may be forthcoming, of a kind likely to give information as to the value of the lot. The statement, however, so exhibited, or other information howsoever procured, shall not be deemed to afford any guarantee to the purchaser of the title under which the late proprietor may have held the lands mentioned therein as part of the mehal in arrear, or of their profit, or extent. Provided likewise, that in case it should subsequently be discovered, that the Juma settled on the portion of a mehal so sold, is excessive, or substantially disproportionate, it shall be competent to the Governor General in Council, on the representation of the purchaser, his heirs, or assigns, made at any time within ten years from the date of sale, to order a new allotment of the juma on the lands sold, and on the remainder of the mehal from which the same may have been separated, on the principle prescribed for the cases of Butwarras, and in this case, all separations made at, or after the time of sale, shall be cancelled. Provided further, that in cases wherein the Juma assessed on a separated lot sold, shall from evident mistake, be fixed greatly too low, it shall be competent to the Governor General in Council, at any time within ten years from the date of sale, to cancel the sale, unless the purchaser consent to allow of a fresh allotment of the Juma. When a sale may be so cancelled, the amount of the purchase money shall be repaid to the purchaser, without interest, and if the late proprietor shall refuse, or fail to make good the amount when called

But this no guarantee to purchasers, either of the defaulter's title:

Or of the Juma, if subsequently found disproportionate.

New allotment may be ordered by Government within 10 years, as in case of Butwarras.

If the Juma alloted on sale of a portion of a mehal, be found too low, sale may be cancelled within 10 years, if purchasers refuse to allow fresh allotment.

called on to do so, the lands sold shall become the property of Government: Provided also, that whenever the Juma assessed on any lot shall be reduced under the above provisions, it shall be competent to the Governor General in Council to determine what compensation shall be paid by the purchaser who may benefit by such reduction of the assessment, or by his representative, to the party, or parties, the Juma of whose lands may be enhanced, or if the aforesaid purchaser or his representative shall refuse to pay the sum so awarded, to cause the lot to be resold, and after repaying to the purchaser, or his representative, the amount of his purchase money, without interest, to pay or distribute the remaining proceeds of the resale to or among the party or parties, the Juma of whose lands may be enhanced.

Government may award compensation to be paid by the party benefited by reallotment.

XXXV. It is hereby declared and enacted, that no abatement of a Juma once fixed by the Revenue authorities, shall be made, except by the authority of the Governor General in Council; and it is hereby further declared, that the Revenue authorities only are competent to take cognizance of any question affecting the amount of Juma assessed, or fixed on any lands paying revenue directly to Government, and that the fixing, altering, or modifying the amount of Government Revenue on such lands, shall belong exclusively to those authorities, subject of course to the general control of the Governor General in Council.

No abatement o Juma to be made, without the sanction of Government.

And Revenue authorities, exclusively competent to take cognizance of questions touching the amount of Assessment.

XXXVI. If a Collector shall at any time, being so instructed by either the Government or the Board, purchase on account of Government, an estate exposed to sale for the recovery of arrears of revenue, the rules applicable to the management

In case of a purchase by Government, the Rules for khas management to be applicable.

management of ordinary malgoozaree mehals held khas, or farmed, shall be considered applicable to such estate, and also to all other estates, the property of Government, according as they may be held khas, or let in farm.

Collectors to have the power of punishing for contempt.

XXXVII. *First.* With a view to enable the Revenue authorities to maintain due order in their Cutcherries, more particularly at the time of conducting judicial investigations and holding public sales, it is hereby enacted, that the Board of Revenue, or other authority exercising the powers of that Board, or any Member thereof exercising separate authority, the Collectors of land Revenue, or other covenanted officer employed in the collection of the Revenues, shall be competent to punish any contempt, outrage, or disturbance committed in open Cutcherry in their presence, by fine to an extent not exceeding 100 Rupees, commutable, if not immediately paid, to imprisonment in the Dewanny jail of the district for a period not exceeding fifteen days. A similar power shall be vested in any officer employed in conducting public sales under the authority of the Revenue Boards.

Orders in such cases to be final, saving the power of control vested in the Boards and Government.

Second. The orders passed in such cases by the aforesaid officers shall be final, saving the general powers belonging to the Board and to Government, of revising and controlling the acts of subordinate Revenue officers, and

Zillah Judges are to enforce the penalty ordered, in the same manner as if adjudged by a Court.

the Zillah Judges are required, on receiving a copy of the order passed by such Officer adjudging the aforesaid penalty, immediately to take measures to enforce the same, in the same manner as if a like penalty had been imposed by order of Court.

XXXVIII.

XXXVIII. It is hereby declared and enacted, that Government is not, and shall not be held liable for any error, or irregularity which may have occurred, or shall occur in any order, proceeding, or decree of any Court of Judicature, whether a Revenue, or other Officer of Government may or may not have been, or shall or shall not be employed, in giving effect to the order, proceeding, or decree deemed to be erroneous or irregular. Nor shall any Officer of Government be held liable for any thing done, or suffered in conformity with an order, proceeding or decree of a Court as aforesaid, and if any person or persons shall sue Government or any Officer of Government for any thing done or suffered under an order, proceeding or decree of Court as aforesaid, such person or persons shall be nonsuited, with costs. The same principle is and shall be held applicable to all orders, proceedings, or decrees made, held, or passed by any public officer, in virtue of powers vested in him for the judicial cognizance of any pleas, suits, complaints, or informations whatsoever, unless otherwise specially provided.

Government not liable for errors of the Courts of Justice, whether Revenue Officers be or be not employed in executing the Court's order.

XXXIX. Nothing contained in this Regulation shall be construed to limit, or affect the powers and authorities conferred by Regulation I. 1821, upon the Sudder and Mofussil Commissioners, acting under the provisions of that enactment, in regard to the annulment of sales.

This Regulation not to interfere with Regulation I. 1821.

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OF THE

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TO THE

REGULATIONS

OF

1822.

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ALTERATIONS,

ALTERATIONS, MODIFICATIONS, RESCISSIONS, EXTENSIONS, &c. &c.

Regulations Altered, &c.					*By What Regulations.*		
Year	*Regulation.*	*Section.*	*Clause.*		*Regulation.*	*Section.*	*Clause.*
1793	II.	XXVIII.		Rescinded by	III.	II.	*First.*
		XXIX.					
		XXXIV.					
		XXXV.					
		XLIX. to					
		LXX.					
	IX.	V. and VI.		Explained by	VIII.	II.	
	XIV.	XIII.		Rescinded by	IX.	II.	*First.*
		XXV.					
		XXVI.					
		XXVII.					
		XXVIII.					
	XIV.	III. XXIV. and XXV.		Partly rescinded by	IX.	II.	*Second.*
	XXII.	XVI.		Explained by	VIII.	II.	
	XLIX.			Amended by	I.	II.	
1795	V.	XXVI.		Rescinded by	III.	II.	*First.*
	VI.	XIX.		Ditto	IX.	II.	*First.*
		XXIX.					
		XXXII.					
		XXXIII and					
		XXXIV.					
		VII. and		Partly rescinded by	IX.	II.	*Second.*
		XXXI.					
	XVI.	IV.		Explained by	VIII.	II.	
	XVII.	XV.					
1796	V.			Rescinded by	XI.	II.	*First.*
	XII.			Partly rescinded by	XI.	II.	*Second.*
1799	VII.	XXVIII.		Rescinded by	XI.	II.	*First.*
		XXIX.	*Second, Third, Fourth, Fifth.*				
	VII.	XXIII.		Partly rescinded by	XI.	II.	*Second.*
1800	V.			Partly rescinded by	XI.	II.	*Second.*
1801	I.	III. V. VI.		Rescinded by	XI.	II.	*First.*
		VII. and XI.					
1803	VI.	V. and VI.		Explained by	VIII.	II.	
	XXV.	XXVII.		Rescinded by	III.	II.	*First.*
	XXVI.	II. III. IV. V.		Ditto	XI.	II.	*First.*
		VI. VII. VIII.					
		IX. X. XI.					
		XIII. & XIV.					
	XXVII.	XVII. XIX. & XXIX	*Fifth.*	Ditto	XI.	II.	*First.*
	XXVII.	XXXI.		Partly Rescinded by	XI.	II.	*Second.*
	XXXII.			Amended by	I.	II.	
	XXXV.	XVI.		Explained by	VIII.	II.	
	LII.			Extended by	VI.	II.	

Regulations Altered, &c.					By What Regulations.		
Year.	Regulation.	Section.	Clause.		Regulation.	Section.	Clause.
1805	VIII.	XXIX.		Extended by	VI.	II.	
1808	IX.	III. VI. VII. VIII. and X.		Modified by	V.	II.	*First.*
1809	V.			Amended by	I.	II.	
—	V.			Applied by	IX.	II.	
1810	IX.	VI.		Partly rescinded by	II.	II.	*First.*
—	X.	IV. & XXXI.					
1814	XVIII.			Rescinded by	XI.	II.	*First.*
1816	I.			Ditto by	III.	II.	*Second.*
1817	I.			Ditto by	III.	II.	*Second.*
—	XVII.	IV.		Extended by	IV.	VII.	
—	XXIV.	II. and III.		Rescinded by	III.	II.	*Second.*
1819	II.	XI. XII. XIII. XIV. and XIX.		Applied by	VII.	XIX.	*Second.*
—	VIII.	XVIII. and XIX.		Extended & Applied by	VII.	XXII.	
1822	I.	VI.		Enforced by	VIII.	II.	
—	I.	VI.		Applied by	IX.	II.	

	Regulation.	Section.	Clause.
COURT OF WARDS.			
Regulation LII. 1803, and part of Regulation VIII. 1805, extended to Benares, and the Board of Revenue for the Central Provinces constituted a Court of Wards for that Province. - - - -	VI.	II.	
The several Courts of Wards vested with a discretionary power to farm estates for ten years, or to adopt any other plan of management not involving a longer assignment. - - - - -		III.	*First.*
Farms of lands heretofore made under orders from the Court of Wards, declared legal and valid, and to be so considered by the several Courts of Justice. -			*First.*
Farmers, &c. holding lands under the Court of Wards, declared subject to the same rules as are applicable to persons in possession of similar Tenures under the Collectors of Revenue. - - - -			*Second.*
Courts of Wards authorized to refrain from interfering with Estates in cases when their interference may appear unnecessary. - - - -			
Proviso, against the Sale of a Minor's Estate for arrears.			
Revenue Officers may farm in such case, and Court of Wards competent to assume charge at any time during minority. - - - - -		IV.	
CRIMINAL JUSTICE.			
Power vested in two or more Judges of the Nizamut Adawlut, to pass sentence of acquittal, notwithstand-			

ing

	Regulation.	Section.	Clause.
ing a Futwa of Conviction by the Law Officers of that Court. - - - - - - - - -	IV.	II.	
How the Judges are to proceed in cases when the Heir of a slain or injured person may refuse to prosecute. - - - - - - -		III.	
How the Judges are to proceed in the case of a prisoner who, subsequent to the perpetration of a crime and prior to conviction, may exhibit symptoms of derangement. - - - - - -		IV.	
Judges how to proceed in cases when circumstances occur which the law Officers consider justificatory, and plead them in lieu of capital or discretionary punishment. - - - - - - - -		V.	
Courts of Circuit and Nizamut Adawlut how to proceed in cases when prisoners for certain Offences are declared by the Law Officers liable to Hukoomuti Adul only. - - - - - - - -		VI.	
The provisions contained in Section IV. Regulation XVII. 1817, extended to cases in which a Futwa of the Law Officers may declare the legal punishment barred by doubts of the prisoner's sanity, when he committed the act charged.—Proviso. - -		VII.	
Sections III. VI. VII. VIII. X. of Regulation IX. 1808, modified. - - - - - -	V.	II.	*First.*
Proclaimed persons declared liable to be tried on the original charge, as well as contumacy in not surrendering on proclamation. - - - - -		II.	*Second.*
Option vested in the Superintendent of Police in such cases. - - - - - - - - -		III.	
Proclaimed persons when tried for contumacy and acquitted, declared liable to be tried *de novo* on the original charge, but not vice versa. - - -		IV.	
Explaining certain parts of Regulations XXII. 1793, XVII. 1795, and XXXV. 1803. Nothing in existing Regulations to empower Magistrates to pass sentence, or commit for trial by the Court of Circuit, for offences committed out of their Jurisdiction except under authority of Government, or of the Nizamut Adawlut. If the offence charged be perpetrated beyond jurisdiction, the Magistrate to send proceedings, parties and witnesses, to the Magistrate of the District in which it was perpetrated. But may suspend for special reasons, and refer the case to the Nizamut Adawlut for orders as to place of trial. Above rule not to interfere with Regulation V. 1809, and Section VI. Regulation I. 1822. - - -	VIII.	II.	

It

	Regulation	Section	Clause.
It shall be competent to the Governor General in Council to order a trial to be conducted at any Station other than that of the District where the offence was perpetrated, and to issue orders to the Magistrates for the purpose. Notice to be given to Nizamut Adawlut and Court of Circuit, who will be bound to proceed with the trial &c. where ordered. - -	VIII.	III.	*First.*
It shall be competent to the Nizamut Adawlut to order removal of a trial when the ends of justice, or convenience of parties, may be promoted thereby. Official letter of the Register, to be authority for the same. -		III.	*Second.*
In case trial in a different Zillah from that of perpetration be ordered by Government or Nizamut Adawlut, Magistrates bound to conform to instructions of the authority ordering the same. - - - -		IV.	
Above rules equally applicable to Magistrates, Joint Magistrates, Superintendents of Police, &c. as to Magistrates. - - - - - - - - -		V.	
Declaration that in case a Joint Magistracy or the like be created, Government shall be competent to settle how and where it's Sessions of Jail Delivery shall be held. Notice to be given to the Nizamut Adawlut, who will carry the same into execution. - -		VI.	
EMIGRANTS.			
The rules contained in Regulation V. 1809, and Section VI. Regulation I. 1822, are declared applicable to foreigners and others settling or residing for six Months, within the Company's Territories. - -	IX.	II.	
GARROW MOUNTAINEERS.			
Separating the tract of Country comprised in the Thanahs of Gwalpara, Dhoobree, and Kurreebaree from the jurisdiction of the District of Rungpore, and declaring the operation of the existing Regulations to be suspended, except so far as provided hereafter. -	X.	II.	
A Civil Commissioner appointed for the North East parts of Rungpore above described, vested with the powers of administering Civil and Criminal Justice, the collection of revenue, and the superintendence of the Police in the manner prescribed in this Regulation. - - - - - - - -		III.	
Commissioner to exercise the functions of Magistrate, and to have criminal jurisdiction in the trial and Sentence of persons charged with offences, to the extent of a Circuit Judge, but no Futwa to be required. -		IV.	*First.*

Commissioner

	Regulation.	Section.	Clause.
Commissioner and other Officers acting under his controul, shall ordinarily conform to the principles and spirit of the Regulations applicable. But shall obey and conform to all special rules and orders of Government.—Reservation to the Governor General in Council, of the power of regulating sundry matters connected with the Commissioner's criminal jurisdiction.	X.	IV.	*Second.*
Proceedings in the trial of certain cases, to be referrible to the Nizamut Adawlut, before final Sentence being passed by the Commissioner. - - -			*Third.*
The Nizamut Adawlut how to pass judgment in such cases. - - - - - - -		V.	
Power of the Commissioner in administering Civil Justice.			
Suits exceeding in amount Rupees 5,000, to be appealable to the Sudder Dewanny Adawlut. Special Appeal allowed if under 5,000 Rupees. - -		VI.	
The process and form of trial in Civil Actions, between Garrows and the like, or in which one of the parties may be of this description, to be as prescribed by the Governor General in Council. - - - -		VII.	
Rules under which the Commissioner shall conduct the Revenue Duties in the tract of the Country placed under his controul. Proviso, declaratory of the competency of Government to separate tracts occupied by Garrows or the like from Zumeendarees, and to discontinue the levy of Cesses or the like, giving compensation when justly due. - - -		VIII.	*First.*
No Suit shall be entertained by any Civil Court within the tract of Country subject to the Commissioner on account of acts done as above. - - -			*Second.*
All questions regarding the application of the rules in matters connected with the tract of the Country described in Section II. of this Regulation, shall be referrible to the Governor General in Council. -		IX.	
GOVERNMENT CUSTOMS AND TOWN DUTIES.			
Parts of Regulation IX. and X. of 1810, and other Regulations, imposing restrictions on the appointment of Officers for the collection of Government Customs and Town Duties, rescinded. - - - -	II.	II.	*First.*
Power reserved to the Governor General in Council to appoint any number of Officers, being covenanted			

Servants

	Regulation.	Section.	Clause.
Servants, to collect the Duties of Government Customs and Town Duties, and they to have the full power now exercised by Collectors or Deputy Collectors. - - - - - - - - -	II.	II.	*Second.*
The Governor General in Council may vest any Covenanted Servant with part of the powers and authority now exercised by the Collectors of Customs and Town Duties. - - - - - - - - -			*Third.*
The Governor General in Council alone shall be competent to pass orders in regard to the disposal of the proceeds of Goods confiscated, or of the fines or penalties incurred by a breach of the Custom Regulations. - - - - - - - - -			*Fourth.*
MAGISTRATES.			
Regulations XLIX. 1793, XXXII. 1803, and V. 1809, amended. - - - - - - - - -	I.	II.	
Affrays punishable by the Magistrates under certain restrictions. - - - - - - - -		III.	
Rules for awarding punishment in such cases, not referrible to Assistants. - - - - - - - -		IV.	
All cases of affray not punishable by the Magistrate, to be disposed of as heretofore. - - - - -		V.	
Magistrates vested with power to proceed in all offences committed by Native Subjects of Government out of the limits of the British Provinces, in the same manner as in similar offences committed within those limits. - - - - - - - -		VI.	
The Zillah and City Magistrates declared competent to give effect to Sentences passed by the Criminal Courts in Territories not subject to the operation of the general Regulations. - - - - -	IX.	III.	*First.*
A warrant under the official Seal and Signature of the Officer exercising Criminal Jurisdiction, declared to be a sufficient authority for the confinement, transportation, or punishment of a prisoner. - -		III.	*Second.*
In cases of doubt as to the legality of such warrant or the competency of the Officer by whom it may have been issued, a reference to be made to the Governor General in Council, and in the mean time the prisoner to be detained in custody. - - - -		III.	*Third.*
The Rules in force for the treatment and security of prisoners confined in Jails, declared equally applicable to the cases of prisoners confined under this Section. - - - - - - - - -		III.	*Fourth.*

This

	Regulation.	Section.	Clause
REVENUE.			
This Regulation to be in force in the Ceded and Conquered Provinces, in the District of Cuttack, Pergunnah Puttaspoor and it's dependencies. - -	VII.	I.	
The existing Settlement in the Ceded Provinces to be extended in certain cases for a further period of five years. - - - - - - - - -		II.	*First.*
So also the Settlement in Cuttack. - - -		II.	*Second.*
Proclamations issued by the Revenue Boards and Commissioners, notifying the proposed extension of the Settlement, sanctioned and confirmed—and			
Zemindars failing to notify their intention to relinquish their lands under the said proclamations, shall be held responsible for the payment of the present Jumma, during the ensuing five years. - -			*Third.*
Goruckhpoor and Azimgurh excluded from the operation of the foregoing Clauses. Zumeendars of these Districts to hold on from year to year, until a new Settlement shall be made. - - - -		II.	*Fourth.*
The existing leases in Puttaspoor and it's Dependencies, to be similarly continued from year to year. -			*Fifth.*
General Rule relative to Zemindars holding on after the expiration of their leases.			
Collectors authorized, with the sanction of the Board, to require Zemindars to state, whether they are willing to continue their engagements.			
Zemindars allowed to hold on, shall not be chargeable with additional revenue, excepting in certain cases.			*Sixth.*
Settlement how to be made for farmed Estates, for Estates held Khas, for Estates of recusant Zemindars, cases in which Zemindars may be excluded from, or deprived of the management of their Estates. - - - - - - -		III.	
The admission of particular parties to engage for the payment of the public Revenue, shall not bar the Revenue Officers from interfering to adjust the rights of other persons or classes. But if the profits of any Zemindar be materially reduced by any order or decision of such Officer he shall be at liberty to relinquish his engagements. -		IV.	
Existing provisions relative to Malikana, and Nankar, rescinded. - - - - - -		V.	*First.*
Malikana to be allowed to proprietors of Estates farmed or held Khas.			

How

	Regulation.	Section.	Clause.
How to be apportioned among several Proprietors.			
Not to be less than five, nor without special sanction of Government, more than ten per Cent. on the Government Jumma.			
Subject to what deduction.			
No Malikana allowance under this Rule, to be granted to Zemindars, who may continue to occupy their lands under the farmer or Government Officer.			
Nor without special sanction to Zemindars making collections from the Ryuts.			
Provision for the case of Malgoozars, not proprietors, or only part proprietors of the Mehals, for which they may have been under engagements. - -	VII.	V.	*Second.*
Zemindars may be called upon to state the Jumma for which they may be willing to engage, and their Malikana allowance may be adjusted according to the amount tendered by them.			
Or by the net Revenue of the preceding year if no tender be made. - - - - - - -		V.	*Third.*
Revenue Officers may revise Settlements of Estates, of which the existing leases shall be extended under Section II. during the continuance of such extended lease. - - - - - - - -		VI.	*First.*
Revision of Settlement how to be made. - - -			*Second.*
Revision of Settlement shall not operate to alter the amount of the Jumma payable on account of lands included in existing engagements.			
But lands withheld from the knowledge of the Revenue Officers at past Settlements, may be separately assessed.			
Revenue Officers revising Settlements, to exercise the same authority, in adjusting the relative rights of individuals, as they may exercise when assessing a Mehal open to re-assessment. - - - - -		VI.	*Third.*
Collectors in the Conquered Provinces to revise Settlements during the continuance of the existing leases. - - - - - - -			*Fourth.*
When revisions of Settlements are completed, prolonged leases to be granted in the Ceded Provinces, and in Cuttack, Puttaspoor and its Dependencies, for years subsequent to 1234. - - - -		VII.	*First.*
Jumma for years subsequent to 1234, how to be adjusted. - - - - - -			*Second.*
Pottahs granted on revised Settlements only to cover lands specified - - - - - -			*Third.*

In

	Regulation.	Section.	Clause.
In conquered Provinces likewise, renewed leases to be granted pending the present Settlement, for a term of years subsequent to its expiration. - -	VII.	VII.	*Fourth.*
Cases wherein the final Settlement of Estates shall, after revision, be postponed until the expiration of the current leases. Rules applicable to such cases. -			*Fifth.*
The same rules applicable to Estates in Goruckhpore, Azimgurh, Puttaspoor, &c. as they may become open to re-settlement. - - -			*Sixth.*
Waste Lands may be disposed of by Government under what conditions. - - - -		VIII.	
Detailed investigations to be prosecuted by Collectors and other officers making or revising Settlements.			
Proceedings to embrace what particulars.			
How far to be binding on the Courts of Judicature.			
What Cesses or Collections to be held illegal. -		IX.	*First.*
Collectors and other Officers making Settlement, may grant Pottahs to Mofussil Zemindars and Ryots. -			*Second.*
In what case engagements for the revenue may be taken as heretofore, without a detailed Mofussil Settlement, such engagements not to be granted for a term exceeding five years, nor to bar an intermediate revision. - - - - -			*Third.*
In cases where several persons holding interests of different kinds, may have separate properties in the same land, Government may determine which of such parties shall be admitted to engage for the public revenue. Provision to be made for the remaining parties. Government will also determine the manner and proportion in which the net rent or profit arising out of the limitation of the public demand, shall be distributed among the different parties possessing properties in lands settled in perpetuity or for a term of years. - - -		X.	*First.*
Mofussil Settlements to be made in cases wherein the title of an intermediate manager between Government and the proprietors, or hereditary occupants of the Soil, may be maintained - - -			*Second.*
Where several persons may hold a common property, or properties subject to a common obligation, the revenue Officer may make a joint Settlement with, or in behalf of, the parties collectively, or of a majority of them, or may select one or more to manage the Mehal as Sudder Malgoozars. - - - -			*Third.*

When

	Regulation.	Section.	Clauses.
When a joint Settlement is to be made, parties how to be summoned, - - - -	VII.	X.	*Fourth.*
Persons wilfully failing to attend when summoned, to be bound by the decision of the majority, who may attend, and to be responsible for the revenue agreed to, unless otherwise specially provided, - -			*Fifth.*
In cases in which any of the parceners object to the Jumma assessed, the engaging parceners shall be deemed to be farmers of the revenue of the lands belonging to the recusants, if their engagements extend to such lands, - - - -			*Sixth.*
Proprietors cultivating lands, of which the Revenue may be collected, Khas or Farmed, at what rates to pay rent, - - - - -		X.	*Seventh.*
When the Settlement of a Mehal held in common tenancy, or subject to common obligation, shall be made with one or more of the parceners selected as manager or Sudder Malgoozar, on what terms the other parceners are to hold; nature and conditions of the Sudder Malgoozars tenures to be declared,			*Eighth.*
Lands separately owned and occupied, though hitherto held as one Mehal, may be separately settled.—Joint properties, or properties subject to a joint obligation in what cases to be divided, - - -		X.	*Ninth.*
Proprietors though excluded from engagements may have their names registered, - - -			*Tenth.*
Collectors forming such registry to proceed on the basis of actual possession, - - -		XI.	*First.*
In Estates held under Putteedaree, Bhyachara, or the like tenure, Collectors may, in certain cases, make a fresh allotment of the Revenue and charges payable by the several parceners, - - -		XII.	*First.*
And in certain cases may make a fresh partition of the land,			
Cases wherein parties affected by Collector's decision, may contest it in the Adawlut, on what points decision of Revenue Officers to be conclusive, -		XII.	*Second.*
Collectors shall not disturb possession unless specially authorized, - - - - -		XIII.	
Collectors making or revising Settlements may declare nature and extent of interests possessed by persons occupying land.—Where lands held in Putteedaree, Bhyachara or the like tenure, Collectors may decide disputes as to the extent of interest belonging to any			

parceners

	Regulation.	Section.	Clause.
parceners, and may enforce his decision, subject to an appeal to the Adawlut, - - -	VII.	XIV.	*First.*
Collectors shall not, under the above rule, take cognizance of claims to larger profits or more land than claimant may have hitherto enjoyed or held, -		XIV.	*Second.*
Decision of Revenue Officers to be maintained by Courts, unless proved to be wrong in a regular suit. Courts not to interfere with apportionment of Jumma or allotment of Land made by Collectors, excepting where the principle of Collectors' decision may be at variance with decree, ...			*Third.*
In what cases Collectors to take cognizance of complaints of wrongful dispossession, subject to an appeal to the Adawluts, ...			*Fourth.*
The above provisions, to what cases to apply, to what cases the rule shall not apply, ...			*Fifth.*
In settling resumed Lakhiraj Lands, Collectors may take cognizance of claims to the property therein, and may give possession to parties appearing to have the best title, subject to an appeal to the Adawlut by a regular suit. The above rule not to extend to Lands held under grants made by, or at the request of, Proprietors, ...		XV.	
Governor General in Council may grant to Collectors making or revising settlements, special authority to take cognizance of claims to the property and possession of Land, ...		XVI.	
Collectors making or revising settlements in what cases to take cognizance of claims to property in Lands held Lakhiraj or at a mocurruree Jumma, under valid tenures, and to make a settlement with the Proprietors on behalf of the Lakhirajdar or Mocurrureedar. Proviso, that an appeal to the Adawlut shall be in the question of right of property, -		XVII.	
Collectors to be the Judges to the question of Jurisdiction, - - - - -		XVIII.	
Collectors authorized to Summon witnesses and require production of accounts.			
To examine on oath or Halufnamah. Proviso, that persons shall not be examined on oath on questions immediately touching their own interests, - -		XIX.	*First.*
Rules of Regulation II. 1819, applicable to processes issued by Collectors under this Regulation, also to Putwarries and others summoned or examined in			

cases

	Regulation.	Section.	Clause.
cases cognizable under this Regulation, and to all other persons upon whom process may be issued, -	VII.	XIX.	*Second.*
Powers specified in Sections XI. XII. XIV. XVI. XVII. XVIII. and XIX. to be ordinarily vested in Collectors making or revising settlements. But Governor General in Council may restrict powers to be exercised on any particular occasion. Like powers may be specially vested in Collectors, though not engaged in making or revising settlements. Collectors may be similarly vested with special powers to try all suits regarding rent, or exaction of rent. The adjustment of accounts between landlord and tenant, their sureties and agents; and touching all matters connected with land, the Rents or produce of Land; the delivery of Pottahs, the violation of engagements, and generally all disputes between Sudder Malgoozars, and farmers and their tenants .		XX.	*First.*
Appointment of Collector to exercise the above duties how to be notified. Governor General may fix by proclamation period for which Collectors are to exercise Judicial powers under this Regulation, -			*Second.*
Collectors shall not take cognizance of complaints specified in preceding clauses, unless preferred within one year, - - - - -			*Third.*
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Sections XVIII. and XIX. Regulation VIII. 1819, extended and declared applicable to cases tried by Collectors under this Regulation, - -		XXII.	
Collector's Cutchery shall be held a Court of Civil Judicature, and his decisions shall be deemed to be judicial awards. - - - - -		XXIII.	*First.*
Proviso, - - - - - -			*Second.*
Collectors authorized to execute awards made by them,			*Third.*
Collectors authorized to depute Native Officers to make enquiries preparatory to settlement, - -		XXIV.	*First.*
Resistance or obstruction of the process or order of a Collector how punishable, - - -			*Second.*
Police Officers to aid and support the execution of process and orders of Collector, - -			*Third.*
Parties in Suits tried by Collectors, may employ any Vakeels or Agents they think proper, - -		XXV.	
What pleadings to be required, - - -		XXVI.	
Stampt paper to be used, - - - -		XXVII.	
Collectors may try and determine Suits in any part of their districts, - - - - -		XXVIII	

Decisions

	Regulation.	Section.	Clause.
Decisions how appealable to Boards.—Board how to proceed on such appeals,			
In what cases Board may direct a new trial or interpose to correct neglect or delay, - - -	VII.	XXIX.	*First.*
What pleadings to be required in appeals to Boards, -			*Second.*
If the parties choose to employ in the pleading of such appeals the same Agents or Vakeels who were previously employed by them in the original suit, no further Mooktarnamah or Vakalutnamah shall be required of them, - - - -			*Third.*
Respondents to receive notice, but not to be required to appear, - - - - - -		XXIX.	*Fourth.*
Board's decision to be final as to the result of summary enquiry - - - - - -			*Fifth.*
But decision of Board and Collector may be contested by regular Suit in Adawlut, - - - -			*Sixth.*
Parties having claims cognizable by Collectors, and not wishing a summary trial, may in the first instance bring a regular action in the Adawlut, -		XXX.	
On appeal to a Court against a decision of a Collector, the proceedings held by that Officer shall be called for and filed in the case, - - -		XXXI.	*First.*
No such appeal cognizable by, or referrible to any Register, Ameen or Moonsiff, - - -		XXXI.	*Second.*
Periodical reports to be furnished by Collectors to Boards, - - - - - -		XXXII.	
Collectors authorized to refer certain cases to arbitration. Force of awards passed on such reference, -		XXXIII	*First.*
Matter of arbitrament to be distinctly specified in Collector's proceedings, - - -			*Second.*
Canoongoes and Tehsildars may be employed as arbitrators, - - - - - -			*Third.*
Collectors in what cases to interfere of their own motion in cases of disputed possession, and to give possession to one of the contending parties. Collectors may attach disputed lands, &c. - -		XXXIV	*First.*
Magistrates and Joint Magistrates in what cases to refer disputes to Collector, - - -		XXXIV	*Second.*
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Meaning of the term "Board of Commissioners, &c." as used in this and other Regulations. Rules regard-			

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	Regulation.	Section.	Clause.
ing Collectors, to apply to any Officer exercising authority of Collector under orders from Government,	VII.	XXXV.	
Provisions of Regulations rescinded, - -	III.	II.	*First.*
Further provisions rescinded, - - -			*Second.*
Bhaugulpore and Purneah transferred from the jurisdiction of the Board of Commissioners for Behar and Benares to the Board of Revenue, which is to be called, the Board of Revenue for the Lower Provinces,		III.	*First.*
The North and South divisions of Bundlecund, with Zillahs Allahabad and Cawnpore, transferred from the Board of Commissioners in the Ceded and Conquered Provinces to the Board of Commissioners for Behar and Benares, which is to be called the Board of Revenue for the central Provinces, - -			*Second.*
The remaining districts of the Ceded and Conquered Provinces to continue as heretofore, Subordinate to the Board of Commissioners, which Board is to be denominated "the Board of Revenue for the Western Provinces," - - - -			*Third.*
Power reserved to the Governor General in Council in appointing Members to the Boards, - - -		IV.	*First.*
Sittings of the Boards ordinarily to be daily, - -			*Second.*
Boards to be guided in regard to the form of their proceedings in cases where no special Regulations exist by the orders of Government. Power reserved to Governor General in Council in fixing the Sudder stations of the Boards, - - -			*Third.*
Governor General in Council declared competent to authorize when necessary a single Member of any Board to exercise all the duties vested in the Board collectively, and to authorize the several Members separately to exercise at the same time such part of the duties as may appear requisite for the greater dispatch of business or other cause. Proviso, no single Member to reverse or alter a Collector's order, except authorized by Government, nor to reverse or alter a decree or order passed by any other Member. No settlements whether temporary or perpetual to be binding, unless confirmed by the Governor General in Council, - - - - -		V.	*First.*
Rule defining the course of proceeding in cases where a difference of opinion may arise, - - -			*Second.*
A single Member when vested with separate authority, declared competent to proceed in the same mode as			the

	Regulation.	Section.	Clause.
the Board collectively are authorized in regard to the appointment, removal, or punishment of Collector's Native Officers. Proviso, in cases where a difference of opinion may arise, - - -	III.	V.	*Third.*
Two Members necessary to appoint, remove, or punish Officers of the Board, unless authorized by Government, - - - - - -	—	—	*Fourth.*
Single Members when vested with separate authority declared competent to suspend any Officer, but the order for such suspension unless in special cases, to be reported to some other Member of the Board, who, if a majority agree, may set it aside, - -		V.	*Fifth.*
Board when applied to may revise, rescind, and alter their decisions, provided that such applications be made within three months, or sufficient cause shewn for delay. Orders or decisions passed by a single Member when vested with separate authority, not to be reversed or altered unless two or more Members concur, - - - - -	—	—	*Sixth.*
Provision in cases when the Members of the Board differ in opinion, and the voices on each side are equal, -	—	—	*Seventh.*
Certain parts of the existing Regulations rescinded, -	XI.	II.	*First.*
Further Provisions rescinded, - - -	—	—	*Second.*
Rules rescinded or modified by the said Rules or Provisions, still to be repealed or modified as heretofore, - - - - - -		II.	*Third.*
Declaration as to the liability of Lands to Public Sale for arrears of Revenue, - - - -	—	III.	*First.*
Estates while under Court of Wards not liable to Sale, -	—	—	*Second.*
Joint Estates and Estates under attachment, only to be sold at the end of the year, - - -	—	—	*Third.*
Further restrictions in regard to sale of Lands may be exercised by Government and by Boards, and Government may annul Sales at any time within three years, if made in contravention of such instructions, -	—	—	*Fourth.*
Sales for arrears of Revenue, to be made by Revenue Officers, and not to be annulled except on ground specified, - - - - -		IV.	
Conditions necessary to validity of sales, - -	—	V.	
Collector desiring to sell how to apply for the Board's permission, - - - - -			
Statement of lands for sale to be forwarded, with copy of notice. Board how to proceed on receiving statement from Collector. Board may postpone sale, caus-			

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	Regulation.	Section.	Clause.
ing notice to be given of postponement. Repeated postponement may be made by the Board, - -	XI.	VI.	*First.*
If alteration made in the Mehal to be sold, its Jumma, or its place of sale, fresh publication necessary, -	—	—	*Second*
Sales of land not liable to be annulled on ground of informality or omission in communications between Collectors and Boards, provided authority to sell have been given, - - - - -		VI.	*Third.*
In what cases Collector may advertise, without previous reference, - - - -	—	VII.	*First.*
Notice of sale what to contain, and how to be issued, -	—	—	*Second.*
Copy of notice to be stuck up in Cutcherry of Collector and in Court. And in Office of Board. Publication made on estate. Manner of publication in Mofussil, -	—	—	*Third.*
What publication sufficient for validity of sale, -	—	—	*Fourth.*
Course to be followed by the Collector, in case the Registered proprietor of an estate ordered for sale, be a Native Officer or Soldier on the regular Military establishment of this presidency, - - -		VII.	*Fifth.*
What notice required in cases of postponement. In what case fresh advertisement to be issued, - -	—	VIII.	*First.*
What notice to be given in case of adjournment. Proviso, for cases in which the bidding may have commenced, - - - -	—	—	*Second.*
Declaration as to the application of the above principles to past sales, - - - -	—	IX.	—
Before sale, arrear to be ascertained, - - -	—	X.	*First.*
Provision for sales held at the Office of the Board, -	—	—	*Second.*
Parties paying, or depositing amount demanded, may sue to recover. Proviso, - - -		X.	*Third.*
Declaration as to arrears accruing under attachment, or during dispossession, - - - -	—	XI.	
Sales to be made conformably with advertisement. By whom, and where to be made, if at Board: and by whom, and when in Zillah, - - -	—	XII.	
Every one's bid to be received, but before concluding sale, Collector shall satisfy himself Ist that bidder can make required deposit, 2d, that he is not a person forbidden to purchase, 3d, that the ostensible purchaser is the real one, - - -	—	XIII.	
What deposit to be made by purchasers, - - -	—	XIV.	*First.*
If deposit not tendered when required, the lot to be again put up, - - - - -		XIV.	*Second.*
Persons failing to make deposit, how punishable, -	—	—	*Third.*

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	Regulation.	Section.	Clause.
In what cases Collector may refuse to conclude a sale with highest bidder; Collector in such cases to record the grounds of refusal; Penalty for bidding by defaulter or Benamee, if purchase be disallowed, - -	XI.	XV.	*First.*
Persons whose purchase is disallowed by Collector, may appeal to the Board, - - - - -	—	—	*Second.*
The term "defaulter" explained, to mean the person with whom settlement has been made by Government or his representatives, - - -	—	XVI.	—
Sales not to be set aside on plea of wrongful disallowance, but defaulter, if aggrieved may sue for damages, - - - - - - -		XVII.	
Collector how to proceed in the case of purchase by Revenue Officer,			
Governor General may confiscate,			
Purchaser may contest by suit in Court, - -	—	XVIII.	
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Process to be followed in case of Benamee purchase discovered after possession given, - -	—	—	*Second.*
Also where Revenue Officer may purchase, - -		XX.	*Third.*
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Purchase money how to be appropriated. Responsibility of purchaser for the Government Revenue from what time to commence.			
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Arrears due to defaulter to be recovered by suit in the usual form, unless transferred, - - -	—	XXIII.	
Collector to report sales to the Board, and not to give possession until confirmed, - - -		XXIV.	*First.*
Persons objecting to Sale may petition the Board who will allow time before confirmation, - -	—	—	*Second.*
Board may annul Sales, and their order in that case shall be final, - - - - -	—	—	*Third.*
Sales may be contested by Suit in Court, though confirmed by Board, but shall not be set aside, except on plea urged to the Board. - - -	—	XXV.	
Suit to be dismissed if failure of some condition of validity be not proved; but Court may adjudge dama-			

ges

	Regulation.	Section.	Clause.
ges for irregularity or the like, and may certify cases of hardship to Governor General in Council, who may restore the former proprietor, compensation being made to purchaser in such cases. Proviso, for Appeals in such cases so certified, - -	XI.	XXVI.	
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On sale being reversed, payment of the arrears due at the time of sale with interest to be the condition of resuming possession. Government to be answerable for the same interest on sums appropriated in payment of arrears, as may be recovered from the defaulters, -		XXVII	*Second.*
Rules for giving possession. Statements to be published at certain Cutcherries. If further measures necessary, Zillah Judge to be applied to, and possession given as in case of decree, - - - -	——	XXVIII	*First.*
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Disputes as to extent of purchase between purchasers and late proprietor, how to be settled, - -	——	——	*Third.*
Disputes between purchaser and a third party as to extent of property conveyed by sale, how to be settled,	——	——	*Fourth.*
Declaration as to extent of right conveyed by sale, 1st, where an estate may be sold for arrears accruing on another Mehal, 2d, where an estate may be sold in recovery of the Revenue assessed upon it. Proviso.			
Persons claiming property in an estate advertised, on what conditions to get possession, - - -		XXIX.	
Under-tenures how affected by sale for arrears. Where such tenures may be derivative from defaulters, -	——	XXX.	
Governor General in Council may reserve under tenures, - - - - -	——	XXXI.	
What under-tenures to be maintained, - - -	——	XXXII.	
Mofussil Settlements how to be made by purchaser, -	——	XXXIII	
If the lot sold be only portion of a Mehal statement of the grounds of assessment to be exhibited at the			

time

	Regulation.	Section.	Clause.
time of sale, and other information to be given. But this no guarantee to purchasers, either of the defaulter's title or of the Jumma, if subsequently found disproportionate. New allotment may be ordered by Government within Ten Years, as in case of Butwarras. If the jumma allotted on sale of a portion of a Mehal be found too low, sale may be cancelled within ten years, if purchasers refuse to allow fresh allotment. Government may award compensation to be paid by the party benefited by re-allotment. - - -	XI.	XXXIV	
No abatement of jumma to be made without the sanction of Government. And revenue authorities exclusively competent to take cognizance of questions touching the amount of assessment. - - -	——	XXXV	
In case of a purchase by Government, the rules for Khas management to be applicable. - - -		XXXVI	
Collectors to have the power of punishing for contempt,	——	XXXVII.	*First.*
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This Regulation not to interfere with Regulation I. 1821, - - - - - -	——	XXXIX.	

TITLES

OF THE

REGULATIONS,

PASSED IN THE YEAR

1823.

REGULATION I.

A REGULATION *to amend certain parts of Regulation I.* 1821,—*Passed by the Governor General in Council on the* 20*th February*, 1823.

REGULATION II.

A REGULATION *for the more effectual suppression of Affrays,—Passed by the Governor General in Council on the* 20*th March*, 1823.

REGULATION III.

REGULATION III.

A REGULATION *for preventing the establishment of Printing Presses without License; and for restraining under certain circumstances the circulation of printed Books and Papers,—Passed by the Governor General in Council on the 5th April,* 1823.

REGULATION IV.

A REGULATION *for declaring the intent of Section XIV. Regulation VII.* 1794, *and for prohibiting the Judges of Circuit holding the Jail deliveries from trying any case in which the prisoner or prisoners may have been committed for trial by themselves, in the capacity of Superintendent of Police, Magistrate, Joint Magistrate, or Assistant Magistrate; for modifying the third and fourth Clauses of Section II. Regulation XIV.* 1811, *and for rescinding Sections IV. and V. Regulation XXIV.* 1814, *and Sections II. and IV. Regulation XXV.* 1814, *—Passed by the Governor General in Council on the 29th May,* 1823.

REGULATION V.

A REGULATION *for giving currency throughout the Provinces, dependent on the Presidency of Fort William, to Rowannahs issued by the Officers in charge of the Dehlee Territory, for reducing the transit duty chargeable on Piece Goods, the manufacture of the British Territories, from 7½ to 2½ per Cent. and for making certain other alterations in the rules applicable to the Collection of Customs,—Passed by the Governor General in Council on the 19th June,* 1823.

REGULATION VI

REGULATION VI.

A REGULATION *for authorizing the institution of Summary Suits to enforce the execution of certain written engagements for the cultivation and delivery of Indigo Plant, and for declaring certain principles in regard to the same,—Passed by the Governor-General in Council on the* 10*th of July*, 1823.

REGULATION VII.

A REGULATION *for prohibiting Loans by Covenanted Civil Servants from persons subject to their official authority and influence,—Passed by the Governor General in Council on the* 30*th October*, 1823.

A. D. 1823. REGULATION I.

A REGULATION *to amend certain parts of Regulation I.* 1821;—PASSED *by the Governor General in Council on the* 20*th February* 1823, *corresponding with the* 10*th Phaugun* 1229 *Bengal era; the* 25*th Phaugun* 1230 *Fussily; the* 11*th Phaugun* 1230 *Willaity; the* 10*th Phaugun* 1879 *Sumbut; and the* 7*th Jummud Ussany* 1238 *Higeree.*

Preamble.

WHEREAS the rule contained in the first Clause of Section III. Regulation I. 1821, has been construed as barring cognizance, by the Commissioners, acting under the provisions of the said Regulation, of suits to recover possession of land, illegally or wrongfully disposed of by public sale, excepting in cases wherein the sale shall have been effected by the undue influence of a public officer: and whereas such a restriction of the jurisdiction of the said Commissions appears to be, not only incompatible with the design of the

the said Regulation; but also inexpedient; inasmuch as it in many cases restrains the Commissioners from annulling sales, of which the illegality has been fully established; and exposes the parties, who have suffered by such sales, to unnecessary expense and delay, that must attend the institution of a new suit in the ordinary Civil Court: and whereas it has appeared to the Governor General in Council, to be advisable, that the Commissions aforesaid should have cognizance of all suits and claims to recover possession of land, lying within the local limits, to which their authority may extend, which may have been lost through, or by consequence of public sales, made in liquidation of alleged arrears of Revenue within the period specified in Clause I. Section III. of the said Regulation; the following rules have been enacted, to be in force from the date of their promulgation.

Part of Clause first, Section III. Regulation I. 1821, rescinded.

II. *First.* Such part of Clause first Section III. Regulation I. 1821, as restricts, or can be construed to restrict, the cognizance of the Commissioners, acting under the provisions of that Regulation, in the matter of suits to recover possession of lands lost through public sales, to cases wherein such sales have been effected by the undue influence of a public officer, is hereby rescinded.

Commissioners acting under Regulation I. 1821, empowered to take cognizance of certain suits, in cases specified in Clauses second, fourth, fifth and sixth, Section III. Regulation I. 1821.

Second. In the several cases specified in Clauses second, fourth, fifth and sixth, Section III. Regulation I. 1821, as well as in all cases wherein it may appear, that any Plaintiff has been deprived of his rights by an illegal sale, made within the period specified in the first Clause of the said Section, it shall and may be lawful for the Commissioners, acting under the provisions of that Regulation, to take cognizance of any

suit

suit preferred to them, and to pass judgment on the same, although there may be no proof, that undue influence was exercised by any public officer, to the injury of the plaintiff.

Third. Provided also, that in the cases specified in Clause third, of the aforesaid Section, if there shall be proof, or strong presumption that the purchase, or acquisition of the property sued for, was effected by violence, extortion, oppression, or fraud, it shall not be necessary for the plaintiff to plead, or establish, that undue influence was exercised.

In what cases undue influence need not be pleaded or established by Plaintiffs.

Fourth. Provided further, that in all cases, wherein the Mofussil Special Commission may have dismissed the claim of any person suing under the provisions of the said Regulation, on the ground that the case was not cognizable by the said Commission, from default of proof that undue influence had been exercised, it shall and may be lawful for the Commissioners aforesaid, to rehear the suit, and to pass judgment thereon under the above provisions, in the same manner as if it had been preferred subsequently to the promulgation of this Regulation.

Commissioners empowered to rehear suits which may have been dismissed by them under certain circumstances.

Fifth. In like manner, the Sudder Special Commission shall be guided by the provisions of this Regulation, in all cases which may now be pending in appeal before them, or in which an appeal may hereafter be preferred to them, and in cases wherein their decree or order may have been for the dismissal of any suit, on the ground that the exercise of undue influence was not established, it shall and may be lawful for the said Sudder Commission to review the case, and to pass judgment thereupon, in the same manner, as if the

Sudder Special Commission to be guided by this Regulation.

the case had been instituted subsequently to the promulgation of this Regulation.

BENGAL SECRETARIAT LIBRARY

A. D. 1823. REGULATION II.

A REGULATION *for the more effectual suppression of Affrays:—Passed by the Governor General in Council on the 20th March* **1823,** *corresponding with the 8th Chyte* **1229** *Bengal Era; the 23d Chyte* **1230** *Fussily; the 9th Chyte* **1230** *Willaity; the 8th Chyte* **1880** *Sumbut; and the 6th Rujeeb* **1238** *Higeree.*

Preamble.

WHEREAS the offence of affrays regarding land, and arising from other causes, is still extremely prevalent, and whereas, with a view to obviate the ill consequences that might result from too great a degree of lenity in the sentences passed upon proof of this offence before the Courts of Circuit, it has been deemed advisable to fix a minimum of punishment in such cases for those Courts, the following rules have been passed, to be in force from the time of their promulgation throughout the territories immediately dependent on the Presidency of Fort William.

Persons duly convicted before the Courts of Circuit, of a charge of affray attended with homicide, not to be sentenced to a shorter period of imprisonment than 5 years.

II. From and after the promulgation of this Regulation, whenever any person or persons committed for trial to the Court of Circuit on a charge of affray attended with homicide, shall be convicted by the law officer, with the concurrence

currence of the Judge of Circuit, of the offence abovementioned, it shall not be competent to the Judge of Circuit, to sentence the person or persons so convicted, to a less term of imprisonment than five years from the date of such sentence, with or without labor and corporal punishment.

But in instances in which the above sentence may appear too severe, the cases to be referred to the Nizamut Adawlut.

III. Whenever, with regard to any person or persons so convicted, the Judge of Circuit shall be of opinion, that the punishment above stated is more than adequate to the offence, he shall issue no sentence in the trial, but shall refer the case for the sentence of the Nizamut Adawlut, setting forth at large, in his letter of reference, the grounds on which he may apply for a mitigation.

The foregoing rules not to alter certain other existing provisions for the punishment of persons convicted of affrays.

IV. Nothing in this Regulation shall be construed to alter the existing rules, by which a Judge of Circuit is competent, in such cases, to pass a sentence of seven years imprisonment, with or without the addition of labor and stripes, or those by which, where he may consider even that punishment to be inadequate to the offence, he is authorized to refer the trial, for a still heavier punishment, to the Court of Nizamut Adawlut.

A. D. 1823. REGULATION III.

A REGULATION *for preventing the establishment of Printing-Presses without License, and for restraining, under certain circumstances, the circulation of printed Books, and Papers: Passed by the Governor General in Council on the 5th April 1823, corresponding with the 24th Chyte 1229 Bengal era; the 10th Chyte 1230 Fussily; the 25th Chyte 1230 Willaity; the 9th Chyte 1880 Sumbut; and the 22d Rujeeb 1238 Higeree.*

WHEREAS it is deemed expedient to prohibit, within the territories immediately subordinate to the presidency of Fort William, the future establishment of printing-presses, and the use of any such presses, or of types or other materials for printing, except with the previous sanction and license of Government, and under suitable provisions, to guard

Preamble.

guard against abuse; and whereas it may be judged proper to prohibit the circulation, within the territories aforesaid, of particular news-papers, printed books, or papers of any description, whether the same may be printed in the town of Calcutta or elsewhere; the following rules have been enacted, to be in force from the date of their promulgation within the territories immediately subordinate to the presidency of Fort William.

The printing of books and papers and the use of printing-presses prohibited, except with the license of Government. Violation of this rule, how punishable.

II. No person shall print any book or paper, or shall keep or use any printing-press, or types, or other materials, or articles for printing, without having obtained the previous sanction and license of the Governor General in Council for that purpose; and any person who shall print any book or paper, or shall keep or use any printing-press or types, or other materials, or articles for printing, without having obtained such license, shall be liable, on conviction before the Magistrate, or Joint Magistrate of the Jurisdiction in which such offence may be committed, to a pecuniary fine not exceeding one thousand rupees; commutable, if not paid, to imprisonment without labor, for a period not exceeding six months.

Unlicensed printing-presses to be attached by the Magistrates, and to be disposed of as the Government may direct.

III. The Magistrates and Joint Magistrates are further authorized and directed to seize and attach all printing-presses and types, and other materials or articles for printing, which may be kept or used within their respective jurisdictions without the permission and license of Government, and to retain the same (together with any printed books or papers found on the premises,) under attachment, to be confiscated or otherwise disposed of, as the Governor General in

in Council (to whom an immediate report shall be made in all such cases) may direct; and if any Magistrate or Joint Magistrate shall, on credible evidence, or circumstances of strong presumption, have reason to believe, that such unlicensed printing-presses, or types, or other materials, or articles for printing, are kept or used in any house, building, or other place, he is authorized to issue his warrant to the Police Officers to search for the same, in the mode prescribed in the rules for the entry and search of dwelling houses, contained in Clauses fifth, sixth, and seventh, Section XVI. Regulation XX. 1817.

Under what circumstances Magistrates may issue warrants for the search of houses.

IV. Whenever any person or persons shall be desirous of keeping or using any printing-press or types, or other materials or articles for printing, he or they shall state the same by a written application to the Magistrate, or Joint Magistrate of the Jurisdiction, in which it may be proposed to establish such printing-press. The application shall specify the real and true name and profession, cast or religion, age and place of abode of every person or persons who are, (or are intended to be) the printers and publishers, and the proprietors of such printing-press or types or other materials or articles for printing, and the place where such printing-press is to be established; and the facts so stated in the application, shall be verified on oath, or on solemn obligation, by the person therein named as the printers, publishers or proprietors, or by such of them as the Magistrate, or Joint Magistrate may think it expedient to select for that purpose.

Persons desirous of keeping or using printing-presses, how to apply for a license.

Circumstances to be specified in the application.

And how to be verified.

V. The Magistrate or Joint Magistrate shall then forward a copy of such application (with a translation, if it be not

Application to be forwarded to Government, who will grant or withhold the license.

not in the English language) to the Governor General in Council, who, after calling for any further information which may be deemed necessary, will grant, or withhold the license, at his discretion.

The conditions which may be annexed to such license to be communicated, both verbally and in writing, to the parties concerned.

VI. If the license shall be granted, the Magistrate or Joint Magistrate will deliver the same to the parties concerned, and will apprise them, both verbally and in writing, of the conditions which Government may in each instance think proper to attach to such license.

Power of recalling such licenses reserved to Government.

Notice of recal how to be served.

VII. The Governor General in Council reserves to himself, the full power of recalling and resuming any such license, whenever he may see fit to do so. Such recal will be communicated by the Magistrate or Joint Magistrate, by a written notice to be delivered at the house, office, or place named in the application, as that at which the printing-press was to be established, or at any other house, office, or place to which such printing-press may, with the previous knowledge and written sanction of the Magistrate or Joint Magistrate, have been intermediately removed.

Penalties attaching to persons who may use such printing-presses after notice of recal.

VIII. Any person or persons, who, after such notice being duly served, shall use, or cause, or allow to be used, such printing-presses or types, or other materials or articles for printing, shall be subject to the penalties prescribed in Section II. of this Regulation; and the printing-presses, types and other materials or articles for printing, (together with all printed books and papers found on the premises,) shall be seized, attached and disposed of in the manner prescribed in Section III. of this Regulation.

IX. All books and papers which may be printed at a press, duly licensed by Government, shall contain on the first and last pages, in legible characters, in the same language and character as that in which such book or paper is printed, the name of the printer, and of the city, town or place, at which the book or paper may be printed; and of every book and paper printed at such licensed press, one copy shall be immediately forwarded to the local Magistrate or Joint Magistrate, who will pay for such books or papers the same prices as are paid by other purchasers; all such books and papers, if printed in the English, or other European language, shall be forwarded by the Magistrate or Joint Magistrate to the office of the Chief Secretary to Government, and if printed in any Asiatic language, to the office of the Secretary to Government in the Persian Department.

The first and last pages of books and papers printed at a licensed press to contain certain specifications.

A copy of every book and paper printed at a licensed press, to be forwarded to the Magistrate, and by him to Government.

X. If the Governor General in Council shall, at any time, deem it expedient to prohibit the circulation, within the territories immediately subordinate to the Presidency of Fort William, of any particular newspaper, or other printed book, or paper of any description, (whether the same may be printed in the town of Calcutta or elsewhere) immediate notice of such prohibition will be given in the Government Gazette, in the English, Persian and Bengalee languages. The Officers of Government, both Civil and Military, will also be officially apprised of such prohibition, and will be directed to give due publicity to the same, within the range of their official influence and authority.

Notice how to be given, if the circulation of any newspaper or printed book shall be prohibited by Government.

XI. Any persons subject to the authority of the Zillah and City Courts, who, after notice of such prohibition, shall knowingly

The wilful circulation of such prohibited papers how punishable, if the offence be committed by persons subject to the authority of the zillah and city courts.

knowingly and wilfully circulate, or cause to be circulated, sell, or cause to be sold, or deliver out and distribute, or in any manner cause to be distributed, at any place within the territories subordinate to the Presidency of Fort William, any newspaper, or any printed book, or paper, of any description so prohibited, shall, on conviction before the Magistrate, or Joint Magistrate of the Jurisdiction in which the offence may be committed, be subject for the first offence, to a fine not exceeding one hundred rupees; commutable, if not paid, to imprisonment without labor, for a period not exceeding two months; and for the second, and each and every subsequent offence, to a fine not exceeding two hundred rupees, commutable to imprisonment without hard labor, for a period not exceeding four months.

The offence how punishable, if committed by a person not subject to those Courts.

XII. If the person who may commit the offence described in the preceding Section, shall not be amenable to the authority of the local Magistrate, or Joint Magistrate, the Governor General in Council will adopt such measures for enforcing the prohibition notified in pursuance of Section X. as may appear just and necessary.

Judgments passed by Magistrates under this Regulation, to be reported to Government.

XIII. All judgments for fines given by the Magistrate and Joint Magistrate under this Regulation, shall be immediately reported, (with a copy and abstract translation of the proceedings held in each case) for the information and orders of the Governor General in Council, who reserves to himself a discretion, of remitting or reducing the fine in any instance in which he may judge it proper to do so.

A. D. 1823. REGULATION IV.

A REGULATION *for declaring the intent of Section* XIV. *Regulation* VII. 1794, *and for prohibiting the Judges of Circuit holding the Jail deliveries, from trying any case in which the prisoner or prisoners may have been committed for trial by themselves; in the capacity of Superintendent of Police, Magistrate, Joint Magistrate or Assistant Magistrate; for modifying the third and fourth Clauses of Section* II. *Regulation* XIV. 1811, *and for rescinding Sections* IV. *and* V. *Regulation* XXIV. 1814, *and Sections* II. *and* IV. *Regulation* XXV. 1814:—PASSED *by the Governor General in Council on the* 29*th May* 1823, *corresponding with the* 17*th Jeyte* 1230 *Bengal Era; the* 5*th Jeyte* 1230 *Fussily; the* 18*th Jeyte* 1230 *Willaity; the* 4*th Jeyte* 1880 *Sumbut, and the* 17*th Ramzan* 1238 *Higeree.*

WHEREAS from the wording of Section XIV. Regulation VII. 1794, (extended to Benares by Section XXI. Regulation Preamble.

gulation XVI. 1795,) of Section VIII. Regulation IV. 1797, and of Section XXIV. Regulation VII. 1803, doubts have been entertained whether, in the event of the absence of the Mahomedan law officers of the Court of Circuit from indisposition or other cause, it is competent to a Judge of Circuit holding a Jail delivery to employ any other than the law officer of the station at which he may be holding the Jail delivery; and whereas with a view to secure an impartial trial before the Courts of Circuit in all cases, it is expedient that every such officer should be prohibited from trying any case in which the prisoner or prisoners may have been committed for trial by himself in the capacity of Superintendent of Police, Magistrate, Joint Magistrate or Assistant Magistrate; and whereas it is judged expedient to modify the provision contained in Clauses third and fourth, Section II. Regulation XIV. 1811, regarding certain prisoners confined in the Allipore Jail, and to rescind Sections IV. and V. Regulation XXIV. 1814, and Sections II. and IV. Regulation XXV. 1814, the following rules have been enacted, to be in force from the time of their promulgation in the territories immediately subordinate to the Presidency of Fort William.

Section XIV. Regulation VII. 1794, Section VIII. Regulation IV. 1797, and Section XXIV. Regulation VII. 1803, explained.

II. The intent of Section XIV. Regulation VII. 1794, (extended to Benares by Regulation XVI. 1795,) of Section VIII. Regulation IV. 1797, and of Section XXIV. Regulation VII. 1803, is hereby declared to have been agreeable to the rules enacted in the two following Sections.

Rule declaratory.

III. Every trial which may have been held before a Court of Circuit in which any one of the established law officers of

the

the several Zillah or City Courts may have been employed, (in the absence of the law officer of the Court of Circuit,) to be present at such trial, and to give a futwa therein, is hereby declared to be as valid and legal as if the law officer of the Court of Circuit had been present at such trial, and given such Futwa; any thing in the existing Regulations notwithstanding.

Rule prospective.

IV. Whenever the law officer of a Court of Circuit may be prevented by indisposition or other cause from attending that Court whilst sitting at any Zillah or City station, the Mahomedan law officer of the Zillah or City Court at which the jail delivery is holding, or in the event of such law officer's inability to attend, the law officer of the neighbouring or other Zillah or City station, (being the nearest from which a law officer may be procurable,) shall be employed to be present at the trial and to give his futwa therein, and every such futwa shall be as valid and of as full effect as the futwa of a law officer of the Court of Circuit.

The Judge of Circuit to record the law officer's name and station on the proceedings of each trial.

V. The Judge of Circuit presiding at the jail delivery shall record upon the proceedings of each trial the name of the law officer who may be present; and where he may be other than the law officer of the Court of Circuit, shall specify the Zillah or City Court to which the law officer so employed may be attached, and where the law officer called in may be other than the law officer of the Zillah or City station at which the Session is holding, shall state the cause of the non-attendance of the law officer of such Zillah or City station, as well as the cause of the absence of the established law officer of his own Court.

No Judge of Circuit to try his own commitments.

VI. From the time of the promulgation of this Regulation, no Judge of Circuit, whether fully appointed or officiating, shall, on any account, preside at the trial of any case in which the prisoner or prisoners may have been committed for trial by himself, in his capacity of Superintendent of Police, Magistrate, Joint Magistrate or Assistant Magistrate. In all such cases, the trial shall be postponed until it can be brought before another Judge of Circuit, or person appointed to officiate as such; and a report of the case shall be made to the Court of Nizamut Adawlut, who will determine whether any special provision shall be made for the immediate trial of the case, or whether it shall be left over to the next Session of Jail delivery.

The third & fourth Clauses of Section II. Regulation XIV. 1811, modified.

VII. In modification of the provisions contained in the third and fourth Clauses of Section II. Regulation XIV. 1811, the Superintendent of the Jail at Allipore is hereby vested with authority to employ, in the repair of the public roads, or in other public works beyond the area of the Jail, any of the convicts who are now, or may hereafter be sentenced to imprisonment for life in the Jail at Allipore, and who may be subject to hard labour. The Superintendent will be careful to exercise this authority with due regard to the character and circumstances of the convicts, and will adopt suitable precautions to guard against their escape.

Sections IV. and V. Regulation XXIV. 1814, & Sections II. and IV. Regulation XXV. 1814, rescinded.

VIII. The provisions of Sections IV. and V. Regulation XXIV. 1814, and of Sections II. and IV. Regulation XXV. 1814, are hereby rescinded.

A. D. 1823. REGULATION V.

A REGULATION *for giving currency throughout the Provinces, dependent on the Presidency of Fort William, to Rowannahs issued by the Officers in charge of the Dehlee territory, for reducing the transit duty chargeable on Piece Goods, the manufacture of the British territories, from* $7\frac{1}{2}$ *to* $2\frac{1}{2}$ *per Cent. and for making certain other alterations, in the rules applicable to the collection of Customs;*—PASSED *by the Governor General in Council on the* 19*th June* 1823, *corresponding with the* 6*th Assaur* 1230 *Bengal era; the* 26*th Jeyte* 1230 *Fussily; the* 7*th Assaur* 1230 *Willaity; the* 11*th Jeyte* 1880 *Sumbut, and the* 8*th Sowaul* 1238 *Higeree.*

WHEREAS it has been determined to assimilate the rules, under which the collection of Customs, within the Dehly Preamble.

Dehly territory, is to be conducted, to the provisions contained in Regulation IX. 1810, and other subsequent Regulations; and particularly to extend to the commerce of the said territory, the benefit of the rule, whereby merchandize, having once been subjected to the prescribed duty, may be freely transported from place to place, throughout the provinces, to which the said Regulation is applicable; and whereas, it has also appeared to be expedient and proper to reduce the transit duty, with which Piece Goods, the manufacture of the Company's territories, are chargeable, under the provisions of the Regulation above mentioned: the following rules have been enacted, to be in force throughout the territories immediately dependent on the Presidency of Fort William.

Section XVII. Regulation IX. 1810, rescinded.

II. *First.* Section XVII. Regulation IX. 1810, is hereby rescinded.

Certain rules of that Regulation declared applicable to Goods on which certain transit duties may have been paid in the Dehly territories, and to the Rowannahs for those Goods.

Second. The rules contained in Clause Third, Section XII. and Clause First, Section XXIII. of the aforesaid Regulation, shall be applicable to goods, on which the transit duties, prescribed by that and subsequent Regulations, shall have been paid within the Dehlie territories; and to the Rowannahs issued by the Revenue Officers in charge of the several divisions of that territory on the payment of the said duties.

Certain rules of Regulation IX. 1810, and other Regulations, modified.

III. *First.* The provisions contained in Regulation IX. 1810, and subsequent Regulations, relative to the duty to be charged on Piece Goods, are hereby declared subject to the following modifications.

Second.

Second. On Piece Goods, (Cotton, Silk and mixed,) the manufacture of the Company's territories, a transit duty shall be levied, at the rate of 2½ per Cent. instead of the duty of 7½ per Cent. prescribed by the aforesaid Regulation.

Transit duty leviable on certain Piece Goods reduced from 7½ per cent to 2½.

Third. Piece Goods, the manufacture of the Company's Territories shall, on importation by Sea, be similarly charged with a duty of 2½ per Cent.

The same duty leviable on certain Piece Goods imported by Sea.

Fourth. Piece Goods, which shall have paid the transit duty of 2½ per Cent. shall, on exportation by Sea from Calcutta, or any other Port, or place belonging to this Presidency, be further charged with the duties specified in the Schedule, annexed to this Regulation, with the exceptions therein provided.

Duty on Piece Goods exported by Sea.

Fifth. Piece Goods, for which Rowannahs, or proof of import by Sea, may not be produced by the Exporters, shall on Exportation by Sea, be charged with a duty of two and a half per Cent. in addition to the duty, to which, if covered by a Rowannah, they would be subject under the foregoing Clause.

Further duty on Exportation, in failure to produce Rowannahs.

Sixth. No drawback shall be paid on Piece Goods, which shall have been charged with a transit, or import duty, of 2½ per Cent.

Drawback not to be paid, in what cases.

Seventh. Persons applying for Rowannahs, are already required to specify in their applications, the value of the Goods to be passed: It is hereby further enacted, that, if in any case, a Collector of Customs shall have reason to believe,

Authority vested in Collectors of customs, in cases of undervaluation of Piece Goods.

lieve, that any Piece Goods, for which a Rowannah may have been issued, are considerably undervalued; it shall be competent to him to take the goods on paying to the owner, or person in charge of the same, a sum equal to the value specified in the application, with an addition of 10 per Cent. on the amount, and interest at the rate of 8 per Cent. per annum, from the date of the Rowannah.

Schedule

Schedule of duties payable on Exportation by Sea, of Cotton and Silk Piece Goods, and Goods made partly of Silk, imported from the interior of the Country.

	On British Bottoms.	*On Foreign Bottoms.*
Cotton Piece Goods, the Manufacture of the British Territories, ...	*free.*	2½
Do. the Manufacture of Oude, or other foreign States.		
If exported to Europe, ...	*free.*	7½
If exported to other quarters, ...	2½	7½
Silk and mixed Piece Goods.		
If Exported to Europe, ...	*free.*	7½
If Exported to other quarters.....	2½	7½

A. D. 1823. REGULATION VI.

A REGULATION *for authorizing the institution of summary suits to enforce the execution of certain written engagements for the cultivation and delivery of Indigo plant, and for declaring certain principles in regard to the same:*—PASSED *by the Governor General in Council on the* 10*th of July* 1823, *corresponding with the* 27*th Assar* 1230 *Bengal era; the* 17*th Assar* 1230 *Fussily; the* 28*th Assar* 1230 *Willaity; the* 2*d Assar* 1880 *Sumbut; and the* 29*th Sowaul* 1238 *Higeree.*

THE poverty of the lower orders in India, and particularly of those employed in agriculture, occasions the general use of borrowed capital for the production of the chief articles of trade and consumption. The capitalist advances his money and sometimes the seed likewise, upon a contract to receive the produce of a defined quantity of land, either at a certain fixed price, or at rates to be subsequently determined with reference to the market price at a specified season; and this system is understood, generally, to prevail in the province

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province of Bengal, in the cultivation of the plant from which the Indigo dye is extracted. According to the existing Regulations, if the contracting ryott should fail to cultivate the land in the manner specified, or having so cultivated the land, should sell the produce to another, or otherwise defraud his creditor and fail to execute his contract by delivery of the stipulated article, the person with whom he has so contracted has no other remedy than a regular action for the recovery of the penalty conditioned in the agreement. It is usual for the courts of justice, in decreeing such causes, to award such limited penalty as may, in each instance, appear to be a fair compensation to the person making the advances for the non-employment of his capital. In the absence however, of any rule for the regulation of the discretion thus assumed, much confusion has arisen from the conflicting opinions and judgments of the several judicial officers, as to the extent of penalty recoverable on agreements of this nature. Under the rules for imposing a stamp duty, it is provided, that all deeds and agreements shall be written on paper bearing a certain stamp, proportioned "to the value of the property "transferred, or otherwise affected." But in agreements of the kind above described, it is not clear whether the amount of the stamp ought to be fixed with reference to the sum actually advanced, or to the penalty or penalties which may be specified as eventually exigible on the failure of the contractor; and it is of great importance to the parties, that this point should be determined so as to prevent the risk of bonâ fide deeds being rendered void, in consequence of any inaccuracy in the description of stamp paper employed in drawing up the agreement. It seems reasonable also, that the person who advances seed and capital, or capital only, for the ex-

penses

pences of cultivation on a defined parcel of land, should be considered to possess a lien and interest in the Indigo plant produced on that land, when so stipulated in a written engagement between the parties, and especially in cases in which such written engagement may have been duly registered, under the provisions of Regulation XX. 1812, and that it should not be in the power of a ryott, who has already conditioned for the delivery of the produce of his land to one person, to break the condition by a clandestine and fraudulent transfer of such produce to another. The system at present in force provides, as above observed, no other remedy for parties injured by this dishonest practice, than by a regular action in the Civil Court. The difficulty and delay of obtaining redress by that course, have not unfrequently led to acts of violence and even to serious affrays, and the more frequent occurrence of such affrays is to be apprehended in consequence of the eager competition which now prevails amongst the Indigo manufacturers in some parts of Bengal, arising from the unusually high price of Indigo. The Governor General in Council has in consequence judged it expedient to declare the principles on which the points above stated shall be settled, and to provide for the more prompt adjustment of disputes, and enforcement of contracts of the nature above specified; and the following rules have accordingly been passed, to take effect in the several districts comprised within the province of Bengal, from the date of their promulgation.

Under what circumstances persons making advances for the cultivation of the indigo plant, on defined portions of land, shall be held to have a lien or interest in the produce of such land.

II. If any person shall have given advances to a ryott or other cultivator of the soil under a written engagement, stipulating for the cultivation of Indigo plant on a portion of land of certain defined limits, and for the delivery of

of the produce to himself, or at a specified factory or place,—such person shall be considered to have a lien or interest in the Indigo plant produced on such land, and shall be entitled to avail himself of the process hereinafter provided, for the protection of his interests, and for the due execution of the conditions of the contract.

Such person how to proceed, when he has just reason to believe, that the ryott will dispose of the produce otherwise than stipulated.

III. *First.* If any person who may have made advances on conditions of the nature above described, shall have just reason to believe that an individual, under engagement with him, is evading or is about to evade the execution of his contract, by making away with, and disposing of the produce otherwise than as stipulated, or that he has engaged secretly or openly to supply the same to another, it shall be competent to such person to present a petition of complaint to the Zillah or City Judge, or to a Register exercising the powers of Joint Magistrate, within whose local jurisdiction the land stipulated to be cultivated with the Indigo plant may be situated, filing with the same the original deed of engagement, by which the produce may be assigned and engaged to be delivered to himself or at his factory, and certifying in his petition, that such deed was voluntarily and bonâ fide executed by the individual complained against.

Summons to be issued for the attendance of the defendant.

Second. On such petition and original deed of engagement being filed, a summons, or tulub chithee, shall be immediately issued through the Nazir in the usual form, requiring the individual named in the petition to attend and answer to the complaint, either in person or by an authorized agent, within such specified period as may, in each instance, appear reasonable, and which period shall in no case exceed twenty days.

Third.

Third. The officer entrusted with the execution of the process shall also be instructed to affix a copy of the summons in the village cutcherry, or other place of public resort, and to erect a bamboo on the specific parcel of ground on account of which the claim may have been preferred, and which it shall be the duty of the plaintiff or his agent to point out. By these means, sufficient public notice of the claim will be given, to enable persons desirous of contesting the plaintiff's right, or of establishing a prior right to the produce of the land, to appear either in person or by an authorized agent before the Court for that purpose, and the failure so to attend before the summary decision be passed, will be held to bar the claim of any third party founded on any contract for the produce of the land in question, unless it be established by a regular suit.

Summons how to be served,

and public notice of the claim, how to be given.

Fourth. If the officer serving the process shall not be able to execute it on the person of the defendant, he shall nevertheless publish the claim in the manner above directed, and if the defendant shall not appear to answer to the complaint within the period specified in the summons, and no other claim be preferred in bar of that of the plaintiff, the Judge or other officer shall, after taking evidence to establish the deed and other allegations of the plaintiff, proceed to the adjudication of the claim, in the same manner as if the defendant had personally appeared.

On non-appearance of defendant or other claimants, evidence to be taken, and the case decided exparte.

Fifth. If the defendant or his authorised agent should attend within the period specified, and should deny the execution of the deed of engagement filed by the complainant, proof of the same shall be taken, and if it's voluntary execution

In what cases an award shall be passed, adjudging the plaintiff's right, to the produce.

execution be established to the satisfaction of the Court, or other tribunal trying the case, and no preferable claim be established by a third party, a summary award shall be made, adjudging to the plaintiff the right of receiving the crop according to the terms of the agreement. The same principle shall be applied if the engagement be admitted, and no satisfactory reason be shewn why the defendant should not be held to the performance of his contract.

If the plaintiff's claim be not established, the plaintiff to pay costs and compensation to the defendant.

Sixth. If it be proved that the engagement was not duly and voluntarily executed by the defendant, or if it should appear that the proceeding is otherwise litigious and oppressive, and the claim unfounded, or that the plaintiff had no sufficient cause to warrant his application to the Court, the complaint shall be dismissed, and the plaintiff shall be made liable to the payment of costs, and such reasonable sum in addition, as may seem to the Judge, or other officer trying the case, a proper compensation to the defendant for any trouble and annoyance to which he may have been subjected.

Notice to be given to third parties, in what cases, & their claims how to be investigated.

Seventh. If it should appear in the course of the inquiry, that the defendant is under engagement for the same land to a third party, notice shall immediately be issued for that party to appear and plead, either in person or by Vakeel, and if such person or any third party shall, previously to the decision of the case, come forward and produce a similar deed of engagement, stipulating for the produce of the same portion of land, the Judge, or other officer trying the case shall, after such summary investigation as may be necessary, determine whether either of the parties have any just claim to the produce of the land, and if so, which of them

may

may have the prior and better claim; a preference will of course be given to engagements duly registered under the provisions of Regulation XX. 1812. The result of such investigation shall be recorded, and a decree passed, adjudging the question of right between the parties.

Defendant not to be subjected to unnecessary detention.

Eighth. No defendant, who may attend under the process described in this Section, shall be confined in Jail, or be in any manner detained longer than may suffice to take his answer to the claim, and to obtain from him such further explanations as the nature of the answer may suggest.

In what cases an order may be issued to deliver the plant to a party, before the summary enquiry may be completed.

Ninth. If pending the summary enquiry in the manner above directed it shall appear, that the plant on the ground is in a state fit to be cut, and will be injured or destroyed if not cut, it shall in such case be competent to the Judge or other officer trying the case, to pass an order for the delivery of the plant to either of the parties, provided that the said party consents and engages to pay to the other claimant (if the summary award should be ultimately in favor of the latter) a specific pecuniary compensation; the amount of such compensation shall be fixed by the Judge, or other person trying the case, in communication with the parties, and shall be regulated with reference to the estimated produce of the ground, and to the probable value of such produce when manufactured, and the amount when so fixed, shall be carefully recorded on the proceedings.

Not to remove plants without giving Section II Act X

Engagement to be entered into by such party.

Authority to watch fields and to prevent removal of the plant, given to parties in certain circumstances.

IV. *First.* Any person in whose favor a summary award shall have been passed for the produce of any defined spot

spot of land, shall be entitled to place a watch over the same, and to prevent the cutting and removal of the plant in any manner contrary to the stipulations of his agreement, and in the event of any attempt being made to cut or remove the plant, it shall be competent to the person holding the decree to apply to the nearest Police Darogah, and to claim from him the assistance of the Police in preventing such removal; it shall moreover be the duty of the Police officers, and of all other officers, on such a decree being exhibited, to aid the person in whose favor it may have been passed to the utmost of their power.

Security for rent due to landholders, how provided.

Second. In order that the foregoing rule may not operate to the prejudice of the landholders, who, by the existing Regulations, are authorized to attach the crops for the realization of rents justly due to them, it is hereby provided, that whenever any manufacturer who may have obtained an award under the foregoing rules, may cause the plant to be cut and taken away, he shall be held responsible, conjointly with the ryott, for any arrear of rent which may have been due on account of the specific parcel of ground from which the Indigo plant may have been taken.

Parties injured by breach of contract in regard to the cultivation & delivery of Indigo plant, may institute either a summary or regular suit.

V. *First.* In cases in which a ryott who may have received advances and entered into written agreements for the cultivation and delivery of Indigo plant in the manner indicated in this Regulation, shall have failed to cultivate the ground specified, or having cultivated it, shall have failed or refused to complete his engagement, or shall have sold, made away with, or transferred the produce to another person, the party with whom such agreement was first made, shall be at

liberty

liberty to institute, at his option, either a summary or a regular suit.

Second. If the summary process be adopted, and the cause be decided in favor of the plaintiff, the defendant shall be subjected to the payment of the amount of the advances actually received by him, with interest on the same, and the costs of the summary process.

Judgment, to what extent in summary suits.

Third. If the plaintiff should prefer to seek his remedy by a regular suit, the case will be tried and decided, under the principles of the general Regulations; provided however, that where a ryott shall have voluntarily executed a deed of engagement, stipulating to cultivate Indigo plant on a specified portion of land, and to deliver the produce of such land to one individual, and shall have subsequently sold and delivered such produce to another, the aggrieved party shall be at liberty to prosecute the ryott and the individual to whom such produce was sold or delivered conjointly, and if it be established, that the individual receiving the produce was at the time aware of the prior engagement, such individual and the ryott shall be jointly and severally held answerable for the full amount of the penalty specified in the original agreement, together with all costs and expenses of the suit.

Ditto in regular suits.

Repealed Section 1 Act 1 1836.

Fourth. If no fraud or dishonest dealing be established, and the failure of a ryott or other contractor to execute the stipulations of his engagement by the delivery of Indigo plant in the manner stipulated, be owing to accident or to any cause not implying fraud or dishonesty, the penalty to be adjudged

Amount of penalty to be awarded in regular suits, where the breach of contract may not be ascribable to fraud or dishonesty.

judged against a contractor shall not exceed three times the sum advanced, as the consideration for executing the deed, including interest.

Summary investigations, how and by whom to be conducted.

VI. Summary investigations, under this Regulation, shall be conducted according to the form and in the manner prescribed for the conduct of summary suits for arrears of rent: They shall either be tried by the Judge, or be referred to the Collector of the district, or to the Register. In cases referred to the Collector, that Officer (as well as the Register,) shall pass a decision on them, instead of sending them back to the Judge with a report, and there shall be no appeal from any summary decision passed by those officers respectively, if regularly made, and in a matter duly cognizable under this Regulation: It shall nevertheless be competent to any person whose claim under a deed of engagement for the cultivation and delivery of Indigo plant may have been set aside by a summary award, or who may be otherwise dissatisfied with the decision passed on a summary investigation under the foregoing provisions, to institute a regular suit for the recovery of the penalty stipulated in the deed of engagement, or for the establishment of any other claim or interest to which he may deem himself entitled.

Explanation of the value of stamp paper employed in engagements for the cultivation and delivery of Indigo plant.

VII. No objection shall be taken against any deed of contract for the cultivation and delivery of Indigo plant on account of it's not bearing the proper stamp, provided that the same be executed on paper bearing a stamp of such an amount, as would be required under the rules of Section XI. Regulation I. 1814, for a bond of the amount actually advanced or acknowledged to be advanced as the consideration for entering into the agreement.

VIII. No objection shall be taken to the validity of any deed of engagement for the cultivation and delivery of Indigo plant, on the ground of it's having been entered into by more than one individual, or of it's including more than one transaction; provided that the obligation of each individual be distinctly specified, and the amount of the stamp be such as would have been required for a bond of an amount equal to that of the aggregate of all the sums acknowledged to have been advanced.

Such deeds not invalid, in consequence of their including several individuals, and several separate transactions.

A. D. 1823. REGULATION VII.

A REGULATION *for prohibiting Loans by Covenanted Civil Servants from persons subject to their official authority and influence:--- Passed by the Governor General in Council on the* 30*th October*, 1823, *corresponding with the* 15*th Cautick* 1230 *Bengal era; the* 11*th Cautick* 1231 *Fusly; the* 16*th Cautick* 1231 *Willaity; the* 11*th Cautick* 1880 *Sumbut; and the* 24*th Suffer* 1239 *Higeree.*

Preamble.

WHEREAS by the existing Regulations all Covenanted Civil Servants of the Company, employed in the Judicial and Revenue Departments of the Service, are prohibited from lending money, directly or indirectly, to any proprietor, or farmer of land, dependant talookdar, under-farmer or ryot, or their sureties; and whereas it is equally necessary to prohibit the public officers from borrowing money from persons subject

ject to their official authority and influence, the following Rules have been enacted by the Governor General in Council, and are to be in force from the date of their promulgation throughout the provinces immediately subject to this Presidency.

Civil Servants in every Department prohibited from borrowing money from the native officers under their authority, and the connections of such officers.

II. *First.* All Covenanted Civil Servants, in whatever Department of the Public Service they may be employed, are henceforward prohibited under pain of dismissal from office, from borrowing money from, or in any way incurring debt to, any native officer under their authority, or under the authority of any of their subordinate functionaries, or from or to the known surety, agent, relation, connection, or dependant of any such native officer, or from or to any person of whom such native officer may be known to be or to have been the servant, agent, surety, or dependant.

And from other persons officially accountable to them.

Second. In like manner and under the like penalty, all Officers of Government being Covenanted Civil Servants, are henceforward prohibited from borrowing money from or in any way incurring debt to any manager, guardian, executor, ameen, sezawul, gomashtah, farmer, motuwullee, or other person, who may in any way be officially accountable to them, or from and to the known surety, agent, relation, connection, or dependant of such person.

Provisions of Regulation XXI. 1814, extended to Civil Officers in the Commercial Department, as well as to all other Officers being Covenanted Civil Servants.

Third. Section IV. Regulation XXI. 1814, is hereby rescinded; and the provisions of Sections II. and III. of that Regulation shall henceforward be held applicable to Commercial Residents and Commercial Agents, as well as

to

to all other Officers of Government being Covenanted Civil Servants.

III. All Judges of Zillah and City Courts, all Magistrates, Joint Magistrates, Registers and Assistants to Magistrates, all Collectors, and Deputy Collectors of the land Revenue, all Assistants to such Collectors or other Officers, exercising the powers of such Collector, are prohibited under pain of dismissal from office, from borrowing money from or in any way incurring debt to any zemindar, talookdar, ryot, or other person possessing real property, or residing in, or having a commercial establishment within the city, district, or division, to which their authority may extend.

Certain Officers prohibited from incurring debt to zemeendars and others residing in, or having property within their districts.

IV. All persons are prohibited from lending money, or otherwise becoming in any way creditor to any Officer of Government, being a Covenanted Civil Servant, in contravention of the above Rules:---And any person lending money, or in any way becoming creditor to any such public Officer in breach of this prohibition, shall forfeit to Government a sum equal to the amount for which he shall have so illegally become creditor.

Prohibition against lending money to Civil Servants, contrary to the above Rules.

Penalty for a breach of this prohibition.

V. If any Officer of Government now in debt shall at the expiration of one year, from the promulgation of this Regulation, be still indebted to any person from whom it would at such period be illegal for him to borrow under the above Rules, it shall be incumbent on such Officer to make known the circumstance to the Governor General in Council; and in the event of intimation not being so given, the same penalty

Officers in debt contrary to the above Rules, to report the fact at the expiration of one year.

Penalty for omitting so to report.

penalty shall attach to the said Officer, as if the debt had been incurred subsequently to the promulgation of this Regulation.

Officers receiving new Appointments, if indebted to individuals, contrary to the above Rules, to report.

VI. In like manner, if any Covenanted Servant, who may be hereafter appointed to any office, shall at the time of such appointment, be indebted to any person with whom, it would be illegal for him to contract a loan, while holding such office, it shall be incumbent on such servant before entering on the duties of the office, to make known the circumstance to the Governor General in Council: and failing to do so he shall be subject to the same penalty as if the debt had been contracted subsequently to his being appointed to the said office.

Penalty for omitting to report.

Penalty on natives, knowingly taking office in contravention of the above Rules.

VII. Any native causing himself to be appointed to any office in opposition to the provisions of Regulation XXI. 1814, as hereinbefore extended, or in any way knowingly accepting office in contravention thereof, shall forfeit to Government a sum equal to ten times the yearly salary or allowances attached to the situation, to which he may be appointed.

Penalties to be enforced by prosecution at the suit of Government.

VIII. Suits for the recovery of penalties incurred under this Regulation, shall and may be instituted under the special instructions of the Governor General in Council, and shall be conducted by the Superintendant and Remembrancer of Legal Affairs, or by such other Officer as Government may nominate for that purpose; such suits shall be instituted in the Provincial Court of the Division, within which the

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the transaction may have taken place, or the lender may reside, or may possess real or personal property. An appeal shall lie from judgments passed in such cases, in like manner, as from other judgments passed in original suits, by the Provincial Courts, and the judgments shall be enforced under the provisions of the Regulations for the execution of other decrees of the Civil Courts.

PRINCIPAL HEADS

OF THE

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TO THE

REGULATIONS

OF

1823.

AFFRAYS.
COLLECTION OF CUSTOMS.
COVENANTED CIVIL SERVANTS.
JUDGES OF CIRCUIT.
PRINTING PRESSES.
SUMMARY SUITS.

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1814	XXV.	II. and IV.	———				
1814	XXI.	IV.	———	Rescinded by - - - -	VII.	II.	*Third.*
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OF THE

REGULATIONS,

PASSED IN THE YEAR

1824.

REGULATION I.

A REGULATION *for enabling the Officers of Government to obtain, at a fair valuation, Land or other Immovable Property, required for Roads, Canals, or other public purposes, and for declaring in what manner the claims of the Zemindars, and of the Officers in the Salt Department, are to be adjusted in certain Districts, where Lands are required for the purposes of Salt Manufacture: Passed by the Governor General in Council on the 8th January,* 1824.

REGULATION II.

A REGULATION *for abolishing the Furruckabad Mint, and for modifying some of the Rules in force relative to the Furruckabad Rupee: Passed by the Governor General in Council on the 5th February,* 1824.

REGULATION III.

REGULATION III.

A REGULATION *to empower Government to extend the Jurisdiction of Registers in certain cases · Passed by the Governor General in Council on the* 12*th February*, 1824.

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A REGULATION *for extending the operation of Regulation VI.* 1823, *to the Provinces of Orissa, Behar, and Benares, and to the Ceded and Conquered Provinces: Passed by the Governor General in Council on the* 4*th March*, 1824.

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A REGULATION *for defining the course of proceeding to be pursued by the Magistrates with respect to Individuals charged before them with two or more offences in certain cases; for modifying Clause Second, Section II. and for amending certain other provisions of Regulation XII.* 1818: *Passed by the Governor General in Council on the* 25*th March*, 1824.

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A REGULATION *for explaining and amending certain parts of the Regulations at present in force, respecting the Manufacture and Sale of Spirituous Liquors and Intoxicating Drugs, and for enacting certain Rules for the better security of the Revenue derived from the exclusive*

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Manufacture and Sale of Opium: Passed by the Governor General in Council on the 25th March, 1824.

REGULATION VIII.

A REGULATION *for Rescinding Regulation IV. of* 1813, *for determining the rates of Toll to be levied on Boats, Rafts, Timbers, and the like, passing through the Bhagaruttee, Jellinghee, Issamuttee, Matabhangah, and Choornee Rivers, and for providing for the better collection of the Toll, and for the secure navigation of the aforesaid and other navigable Rivers: Passed by the Governor General in Council on the 8th April,* 1824.

REGULATION IX.

A REGULATION *to extend, with certain exceptions and conditions, the existing settlement in the Conquered Provinces and in Bundlecund, for a further period of Five years: Passed by the Governor General in Council on the 1st July,* 1824.

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A REGULATION *for modifying and amending the Rules at present in force, in regard to the pardon of persons charged with or suspected of Criminal offences: Passed by the Governor General in Council on the 8th July,* 1824.

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A REGULATION *for enabling the Magistrates and Joint Magistrates to take summary cognizance of cases of forcible dispossession from, or disturbance in the possession of Land, or other property, subject to a regular suit in the Civil Court: Passed by the Governor General in Council on the 22d July,* 1824.

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A REGULATION *for rescinding and modifying certain parts of the existing Regulations, relating to the collection of Stamp Duties: Passed by the Governor General in Council on the 18th November,* 1824.

A. D. 1824. REGULATION I.

A REGULATION *for enabling the Officers of Government to obtain at a fair valuation, Land or other immoveable property, required for Roads, Canals, or other public purposes, and for declaring in what manner the claims of the Zemindars, and of the Officers in the Salt Department, are to be adjusted in certain Districts, where Lands are required for the purposes of Salt Manufacture:---Passed by the Governor General in Council on the* 8*th January*, 1824, *corresponding with the* 25*th Poose* 1230 *Bengal era; the* 22*d Poose* 1231 *Fusly; the* 26*th Poose* 1231 *Willaity; the* 7*th Poose* 1880 *Sumbut; and the* 5*th Jumadee-ul-awul* 1239 *Higeree.*

WHEREAS the rights and interests of individuals in their respective landed estates, and other property, have been secured to them, by the existing Laws and Regulations; and by the Courts of Justice, established for their administration,

tration :—And Whereas it being necessary occasionally to require the surrender of the property of individuals, for purposes of general convenience to the community, it appears expedient distinctly to define the course of proceeding to be followed in such cases, in order, that works and arrangements of public utility may not be unduly impeded, and that, at the same time, a just and full compensation may be secured to all persons, holding an interest in property so appropriated ;—And Whereas the peculiar circumstances of the lands, required for the purposes of the Salt manufacture in the districts, comprized in the Salt Agencies of the 24-Pergunnahs, Jessore, and Bullooah and Chittagong, and the arrangements concluded with the zemindars at the time when the exclusive manufacture was first established, render it necessary specially to declare the principles on which the claims of the Officers in the Salt Department, and of the zemindars in the said districts, are to be adjusted, on the occupation of land for the purposes of the Salt Department, the following Rules have been enacted to be in force as soon as promulgated, throughout the whole of the provinces immediately subject to the Presidency of Fort William.

When ground wanted, Officers of Government to call on Proprietor to state terms, and any objection to transfer.

II. Whenever it may appear necessary or expedient to appropriate the whole or part of any individual's landed estate, or other immoveable property, or any thing thereunto belonging for the construction of a public road, building, canal, drain, jail, or for any other public purpose, then, if there be any hindrance to the purchase of the said property by private bargain, the Officer entrusted with the execution

of

of such public work, or any other Officer, whom the Governor General in Council may direct, shall proceed to the spot and erect a flag thereon, causing, in cases in which it may be proposed to take land, the boundaries of the land so required to be distinctly marked out; but taking care, at the same time, to do as little injury as possible to the property, he shall then stick up in some convenient and conspicuous place in the vicinity, a notice of the land, or other property proposed to be taken, and the purpose for which it is required, and shall make proclamation by beat of drum, as well on the spot, as in the nearest bazar, gunge, or village, calling upon any person, or persons, claiming a right or interest in the land, or other property to appear in person, or by an authorized agent at a place, to be specified in the notice and proclamation, on or before a given date, not being less than fifteen days, in order to make known the precise nature of the interest claimed, and the terms on which he, or they may be willing to dispose of their respective rights and interests; or if they object to the disposal thereof, to specify the same, through the proper authorities for the information of Government, when the substance of all material information given in after such a notification, shall be submitted by those authorities to the Governor General in Council, together with a report of their sentiments on the case, and of the estimated value of the premises intended to be applied to a public purpose, and of the several interests attaching thereunto.

If parties refuse to dispose of property, Government may direct recourse to be had to arbitration.

III. *First.* If the person, or persons having, or claiming to have a right and interest in the land, or other property, required for a public purpose, or in any part of it, shall object

object to the disposal of the same, or shall demand an exorbitant consideration, for the relinquishment of his or their interest, and the Governor General in Council, after duly considering the objections urged, and the demands made, shall notwithstanding deem it proper on grounds of clear and urgent public expediency, that the property should be so appropriated, he will in either of the cases abovementioned order the election of arbitrators to ascertain and determine the just and full value of the whole of the property, intended to be applied to public use, including the rights of all persons holding a lawful interest therein according to the rules hereinafter contained.

In certain cases, Government may delegate the power of directing a recourse to arbitration.

Second. Provided also, that when any extensive public work shall have been commenced on under the orders of Government, it shall be competent to the Governor General in Council, by an order in Council, to delegate to any Board, Committee, or the like, the duty and power of determining on all objections to the disposal of individual properties, which it may be considered necessary to appropriate for the purpose; and the Board or Committee so empowered shall be competent to issue the requisite orders, for the appointment of arbitrators, for the purposes and in the manner hereinafter provided, without previous reference to Government.

Arbitrators how to be appointed, and how to conduct their enquiries.

IV. *First.* Whenever it may be requisite to have recourse to arbitration, for the purpose stated in the preceding Section, the following Rules shall be observed in the appointment of the arbitrators, and in the conduct of their enquiries.

Second.

Second. Two persons of respectability shall be chosen to act as arbitrators on the part of Government, by the Judge or Magistrate, or Collector of the district, in which the land or other property required for public use may be situated, or such other Officer as the Governor General in Council may commission for the purpose of superintending the arbitration, and the party or parties claiming an interest in the premises proposed to be taken, shall be called upon by the Judge, Magistrate, Collector, or other Officer aforesaid, to elect, within a reasonable time, to be fixed by such Officer, two persons to act as arbitrators on his, or their part. If there be several claimants, and they cannot agree, within the required period, in the election of persons to act as arbitrators on their behalf, then and in that case each of them shall nominate one person, whom he may desire to act on his behalf, and the Judge, Magistrate, Collector, or other Officer aforesaid shall choose by lot out of the persons so nominated by the parties or any of them, two persons to act as arbitrators on behalf of the claimants. If only two persons shall be so nominated, they shall be the arbitrators on behalf of the claimants, whether the whole of the claimants may, or may not have been concerned in their nomination. If only one person shall be so nominated, then only one of the persons selected to act as arbitrators on the part of Government, shall be employed on the duty: If the claimants shall refuse or neglect to make any nomination within the required period, then the Judge, Magistrate, Collector, or other Officer shall, and may select two impartial persons residents of the Purgunnah or other local division, to arbitrate the matter between Government and the parties.

Two Arbitrators on the part of Government to be selected by what Officer.

Parties to be required to elect two Arbitrators, to act on their behalf.

Arbitrators how to be selected out of the Nominees of the parties, if more than two.

Course to be followed, if only two persons be nominated.

If only one person be nominated.

Third.

Declaration to be made by arbitrators.

Third. The arbitrators chosen as above shall be required by the Judge, Magistrate, Collector, or other Officer aforesaid, solemnly to promise that they will faithfully and impartially discharge the trust reposed in them, to which effect they shall sign a solemn declaration. But no corporal oath shall be administered to them.

Umpire how to be chosen.

Fourth. As soon as the said obligation shall be signed and before they proceed to any other duty, the arbitrators shall be required by the Judge, Magistrate, Collector, or other Officer aforesaid, to appoint an umpire for the decision of any points whereon they may differ in opinion, and the voices on each side may be equal. If the arbitrators cannot agree in the selection of an umpire, the Judge, Magistrate, or other Officer commissioned as aforesaid, shall be authorized to choose some respectable and impartial person to act as such.

Functions of the Umpire.

Fifth In cases wherein the arbitrators may differ in opinion, if the voices on each side shall be equal, the decision of the umpire on the point of difference shall be conclusive. In all other cases, the opinion of the majority of arbitrators shall determine the award.

Residing Officer to exercise what powers to secure attendance of the Arbitrators, and completion of the award.

Sixth. The Judge, Magistrate, Collector, or other Officer commissioned as aforesaid, shall be competent to exercise towards the arbitrators, and umpire chosen as above, such powers and authority for the purpose of securing their attendance and the due completion of their award, as the Courts of Judicature may or shall legally exercise towards

persons

persons summoned as witnesses before them for the purpose of compelling them to attend and give evidence. It shall further be competent to the Judge, Collector, or other Officer commissioned as aforesaid, in the event of any unnecessary delay on the part of arbitrators in determining any point referred to them, to call upon them to make their award within a specified time, and in default thereof to refer the matter to the Umpire for his decision.

In what cases may refer the matter to Umpire.

Seventh. The arbitrators shall hold their enquiry, under the general superintendance of the Judge, Magistrate, Collector, or other Officer commissioned as aforesaid.

Arbitrators to act under the Judge, Collector, or Magistrate of the district.

Eighth. The Judge, Magistrate, Collector or other Officer so commissioned, shall afford to the arbitrators all necessary aid and support, for enabling them to accomplish the object of their appointment. He shall, on the application of the arbitrators, summon, and is hereby authorized to summon, any witnesses, whom the arbitrators may call for, and whom the parties may not be able to produce before them, without such process. He shall also cause the proper forms of oath to be administered to, or a solemn declaration in lieu thereof to be executed by any witnesses, whom the arbitrators may desire to examine upon oath, or solemn declaration, or he may empower the arbitrators to administer such oath, or to cause the execution of such solemn declaration in lieu thereof, if the witness cannot, with convenience attend at the sudder station of the Zillah. Any person giving intentionally and deliberately a false deposition on oath, or under a solemn declaration taken instead of an oath, in any case referred to arbitration as above,

Who shall cause Witnesses to attend the Arbitrators.

above, and upon a point material to the issue thereof, shall be held and considered to be guilty of perjury, and shall be liable to the penalties, prescribed for that offence in the Regulations, and any person causing or procuring another person to commit the offence of perjury, as above described, is declared guilty of subornation of perjury, and punishable under the provisions of the said Regulations.

Information to be furnished to Arbitrators by the Officer superintending the execution of the work.

V. When arbitrators may be appointed, it shall be the duty of the Officer employed in the manner, specified in Section II of this Regulation, to lay before them a statement of all claims made to him under the rule of that Section, also to notify which of them remain unadjusted, and to furnish upon requisition of the arbitrators, all information in his power, as to the extent and boundaries of the land, proposed to be taken, the claims attaching to it, the state of possession and the like. Furthermore, in the event of any dispute, arising on any point connected with the extent, boundary, present possession, manner of culture, or of other appropriation of the land, or any portion of it for the time being, it shall be competent to the said arbitrators to cause the land, or other property in question, or any part of it to be measured in their presence, or otherwise in such manner, as they may deem most desirable.

In what cases Arbitrators may measure.

Compensation for lakhiraj land, how to be determined.

VI. *First.* If the land, required by Government be lakhiraj, or for such portion of the land as may be of that description, it shall be the duty of the arbitrators to determine in the first instance what consideration is in their opinion a fair value for the whole property, proposed to be assum-

ed

ed or destroyed in the execution of the public work in hand, or which will otherwise be lost to the owners, or affected by reason of the appropriation by Government.

Arbitrators how to proceed in cases of dispute between parties holding different interests in the land.

Second. If a dispute arise between the owner or owners of the lakheraj tenure on one hand, and the cultivators or renters under him on the other, as to the proportion of such entire value, which each should receive in exchange for the interest claimed, or possessed by him, the arbitrators shall not enter into this part of the case, unless both or all the parties interested shall desire the adjustment of the points in dispute to be made by them at the time. So likewise, if there be more claimants than one to the lakhiraj interest, and it shall be necessary to determine the mode in which the value of that interest is to be apportioned amongst the claimants, such apportionment shall not be made, unless all the claimants sign a written agreement to abide by the arbitrator's adjustment of the same. Any award made by arbitrators after agreement being signed by the parties at issue, shall have effect, and be considered as an award of Court to all intents and purposes; but if no award be made in consequence of the parties not having agreed to abide by such a determination, it shall be open to any one of them to carry the point or points at issue, before the Courts in the usual manner, and if the Government take the lands, tenements, or other property on the terms fixed by the arbitrators, it shall be competent to the Court trying the case, upon due application being made, to order the whole or any part of the value paid by Government to be held in deposit to answer an eventual decree. Provided, however, that nothing herein contained, shall be considered

dered to warrant any alteration being made by any order or decree of Court, in the rate of the consideration, fixed by the arbitrators to be paid by the Government, or the issue of any orders, affecting the possession that may have been assumed by it's Officers, or acts that may have been done by them in consequence of such arbitration.

Adjustment how to be made for land subject to the payment of Revenue.

Third. If the land, proposed to be assumed for the purposes aforementioned be khirajee land, or for so much of it, as may be of that description, it shall be the duty of the arbitrators to determine first the amount of the net rent, which the Sudder Malgoozar may derive from the land, as far as they can ascertain the same; Secondly, the value of any other property, or interest, which the said Malgoozar may possess in, upon or belonging to the land; and Thirdly, the value of any property, or interest, which may be possessed by persons other than the Sudder Malgoozar. They shall, at the same time, state the value of the net rent, derived by the Sudder Malgoozar, and it shall be competent to the Governor General in Council to determine what proportion of the compensation due to that person, for the loss of the said rent, shall be made good in the shape of an annual remission of Revenue, and what shall be commuted for a payment in ready money, to be calculated at the rate assumed in the valuation of the arbitrators. In estimating the net rent, no deduction is to be made from the gross rental of the Sudder Malgoozar, on account of the Government Revenue, with which his estate may be assessed. And it shall be the duty of arbitrators, in fixing the value of the net rent, derived by the Sudder Malgoozar, from the land taken for public purposes,

conjointly

conjointly with the value of other interests possessed therein, so to regulate the two, that the whole shall constitute what would have been a fair value for the property, supposing it to have been lakhiraj, and held free of all burthen, or encumbrance, and the arbitrators shall in every case of this description certify at the foot of their report, that the above direction has been observed.

Rights of parties, claiming an interest in land, taken by Government, how to be adjusted.

Fourth. Whenever any revenue deduction may be ordered, it will of course be passed in the revenue accounts to the credit of the muhal, on account of which it may be awarded by the arbitrators, in whosesoever possession the same may be. Should the proprietor of any other muhal claim to participate therein, it shall be open to him to prosecute his claim by suit in Court, against the proprietor of the muhal on account of which it may be paid. Provided, however, that in case any litigation between the proprietors of different muhals claiming to participate in the deduction, awarded by arbitrators, be submitted to their award in the manner above provided for the case of lakhiraj lands, the same when made, shall be binding, and have effect to all intents and purposes, as a decree of Court. So likewise, if there should arise a difference or dispute as to the manner and proportions in which the money compensation to be given by Government upon the occupation for public purposes of khirajee land, shall be divided between the ryots and under-tenants, or between them and the Government malgoozar, or between any other classes of persons claiming to participate; the course shall in all such cases be the same, as is prescribed in the preceding clause of this Section for the case of

lakhiraj

lakhiraj lands, which may have been taken possession of for public purposes by Government, and of disputes, arising in the apportionment of the consideration, adjudged to be paid in consequencc.

Arbitrators how to proceed when the possession is doubtful.

Fifth. If the question of possession shall in any case be doubtful, or if there exist other grounds, which, in the judgment of the arbitrators, render it improper to make immediate payment of the compensation awarded by them, or any part thereof, to any of the claimants, it shall be the duty of the arbitrators to certify the circumstance to the Judge, Magistrate, Collector, or other Officer, under whose directions they may act, and in such case the amount, which they may propose to reserve shall be invested in Government Securities, and held in deposit, until one of the claimants shall obtain an order of Court, for the payment of the same. But no dispute touching the property, or possession of land, or other property required for public purposes, nor any flaw in the title of the party, by or from whom it may be transferred to Government, on the award of arbitrators, shall be allowed to defeat, or disturb the title, acquired by Government, and if any person or persons shall sue in any Court of Judicature to recover from Government, damages or compensation for the loss of any such land or other property, such person or persons shall be nonsuited with costs. Provided also, that in cases wherein the possessor and ostensible proprietor of any land, or other property required for any public purpose shall have consented to transfer the same to Government on terms mutually agreed to, it shall be competent to the Governor General in Council or any Board, or Committee, authorized by him in that

Possession by Government of property transferred to it under this Regulation not to be disturbed, or defeated by reason of any matter, touching the right or title of the former occupant.

that behalf, to cause proclamation to be made in the manner prescribed in the Second Section of this Regulation, requiring all persons claiming any right, title or interest in such land or other property, to prefer their claims on or before a certain date; and after such proclamation shall have been made, and the land or other property shall have been transferred to Government, any claim or suit to recover the same, or to obtain from Government compensation for the loss thereof, which may be preferred in any Court of Judicature, shall be dismissed with costs, unless the claim shall have been preferred as required by the said proclamation. But nothing herein contained shall affect the liability of the party, who may receive the value of any land or other property transferred to Government, without having a good title to the same.

Award how to be given by arbitrators.

VII. *First.* On the close of the inquiry, the arbitrators or umpire shall deliver to the Officer commissioned as aforesaid to superintend the arbitration, a full and specific report and award, upon the point or points submitted to their arbitration under their respective signatures, with a solemn declaration subscribed thereto, that the award so given, is, to the best of their judgment, true and impartial, and according to the evidence adduced before them, they shall, at the same time deposit with the said Officer the whole of their proceedings.

Officer receiving award how to proceed.

Second. The aforesaid Officer shall transmit to the Governor General in Council, the report and award so delivered to him with a report, stating the material points thereof and his sentiments, how far the enquiry made by the arbitrators, appears to have been conducted with fairness and impartiality,

partiality, or otherwise, and the said Officer shall be guided by the instructions of the Governor Geueral in Council in regard to the execution of the award, when the same shall have been approved by Government.

Grounds on which alone award shall be impeached.

Third. No award made under this Regulation shall be liable to be reversed or altered, unless the same shall be open to impeachment on the ground of corruption or gross partiality, or shall extend beyond the authority given to the arbitrators, and such ground of impeachment shall be established on a regular suit in the Adawlut.

Surrender of property required for public purposes to be enforced by Magistrate.

Fourth. If, after the award has been given in by the arbitrators, and the Governor General in Council shall have directed the premises to be appropriated for public purposes, the Officer directed to occupy the same shall be opposed, or impeded in taking possession, he shall apply to the Magistrate of the district, to whom it shall and may be lawful to enforce the surrender of the said premises.

Expenses to be paid by Government, in cases referred to arbitration under the above Rules.

Fifth. In cases referred to arbitration, under the provisions of the preceding Sections, any necessary expence, which may attend the enquiry of the arbitrators, whether for the diet of witnesses or otherwise, shall be paid by Government.

The above Rules not applicable to the removal of obstructions to the Navigation of Rivers.

VIII. The Rules contained in the preceding Sections of this Regulation, shall not be held to be applicable to the removal from the bed, or banks of navigable rivers or streams, of trees, broken boats, timbers, or the like, which

may

may obstruct, or be likely to obstruct the navigation of such rivers and streams. Such obstructions may be summarily removed by the Magistrates of the several Cities and Zillahs, or by such other Officer, or Officers as the Governor General in Council may by an Order in Council, vest with the superintendence of any such river or stream, under the laws and usages applicable to the removal of nuisances, and such special provisions as may hereafter be enacted.

The above Rules not to be applicable to lands, required for the use of the Salt Department, unless so expressly provided.

IX. *First.* Since the Revenue, derived by Government from Salt, within the Provinces of Bengal, Orissa and Cuttack is realized, in the form of a monopoly of the manufacture, under a system established in the years 1780 and 1781 and since, in the prosecution of this system, Government have been, in the occupation of certain lands, adapted to the manufacture, and have all along exercised the privileges of assuming what has appeared to be fitted for the purpose, the same being at the time of such occupation wholly, or for the most part, unfit for cultivation, or for yielding profit by any other means, the above provisions shall not be considered to apply to the case of these lands, except in so far as they may be specially declared to extend to them in this or any future Regulation.

Rules for the adjustment of relative rights of the Zemindars, and the Officers of the Salt Department, founded on the result of a special enquiry.

Second. An investigation having been instituted, under the Orders of the Governor General in Council, with a view first to determine the character of the remissions of the land revenue allowed annually, from the time of the establishment of the present system of manufacture, to certain zemindars in the districts, comprized in the Salt Agencies of the 24-Purgunnahs, Jessore,

Bhulooah,

Bhulooah, and Chittagong; and secondly, to settle the claims of the zemindars, and the Officers of the Salt Department at the Agencies in question, repectively on each other. The following Declarations and Rules calculated for all results of such investigation are hereby made and enacted, and the Courts of Civil Judicature, the Officers of the Salt and Land Revenue Departments, and all other public authorities are to be by them guided in their determination of any question, that may arise as to the right of the Officers of the Salt Department to occupy Salt lands, or other lands, required for the purposes of the Salt Manufacture, and the rate of compensation to be paid for the same.

Khalaree remissions granted on the first establishment of the monopoly, on what principle allowed.

Third. The principle upon which remissions were originally made, from the juma of zemindars, on account of khalaree rents, or the like, upon the assumption of the Salt Muhal, is hereby declared to have been to relieve those to whom they were granted from an assessment upon assets, which were transferred to Government on the establishment of the system of exclusive manufacture, with the rights and interests attached to the possession of the muhal.

To be continued in perpetuity.

Fourth. All zemindars or others, whose claims to remissions were allowed in the first instance, that is, on account of rents collected by them, previously to the year 1188 B. S. shall be considered to fall within the class of land renters, who received an abatement of what they then ceased to collect, upon the principle above laid down, consequently it is hereby declared, that the sums remitted to them will be allowed in perpetuity.

Fifth.

Fifth. The Collectors of Land Revenue, and the Board are prohibited henceforward from receiving any applications to obtain credit in the land revenue collections for any amount, claimed as due for khalaree rent, and from allowing of any abatement, or remission whatever from the land revenue juma, except the specified remissions allowed on account of rents collected previously to 1188, or such other as may be hereafter ordered by the Governor General in Council.

No further remissions or abatements on account of Salt or Fuel land to be allowed without authority of Government.

Sixth. Any land revenue engager, who may prefer a claim to receive rent for khalaries now worked, or for what may be so henceforward, or for any that have been worked, and for which the rent of past years may be claimed to be due, shall be desired to make application to the Salt Agent to have the same adjusted on the principles declared hereafter.

Claims by zemindars to khalaree rents, how to be prosecuted.

Seventh. The remissions allowed on account of rents collected previously to 1188, will still be retained on the Revenue Books, and will be carried to the debit of the Salt Department, but the levy of khalaree rents, bara kursa, or the like, from the Molungees, will be entirely discontinued and the impost abolished from the commencement of the next Salt year, save and except in cases wherein it may be otherwise specially ordered by the Governor General in Council, and henceforward any gomastah or other person attempting to enforce the impost, or demanding it in any shape without special authority from Government, shall, on proof to the fact before the Agent, be immediately dismissed.

Collection of khalaree rents from molungees, unless where authorized by Government to be discontinued.

Eighth.

Also Tax on Fuel.

Eighth. The levy of Goorkatee by the Officers of Government from the Molungees, or of any other similar tax on the privilege of cutting jungle for fuel, to be used in the manufacture of Salt, shall in like manner, and, with the like exceptions be henceforward discontinued, whether the same be levied as an impost due to Government or otherwise.

Contracts for the manufacture of Salt, what to specify.

Ninth. All future contracts for the delivery of Salt in return for advances received, shall, as far as practicable, specify distinctly the proportion of the aggregate price paid by Government, which may be allowed to cover the expence of fuel, and shall otherwise be rendered as specific as possible, with a distinct declaration of the amount to be paid to the Molungees without impost or deduction on any account whatever, unless when otherwise specially authorized by Government.

Agents to ascertain and record in whom the property of Salt lands is vested.

Tenth. It shall be the duty of the Agents to ascertain and record at the time of making the advances next season, or as soon after as may be practicable, in whom the property of the Khalaries and Salt lands within their respective divisions, is vested.

What lands to be considered as held by the Officers of the Salt Department free of rent under a perpetual tenure, and to be eventually liable to assessment by the Revenue authorities.

Eleventh. Salt lands worked by the Salt Department, from the time of the assumption of the monopoly to the present day, or otherwise assumed and held before, and since the perpetual settlement (although originally belonging to an estate, for which a permanent settlement has been formed) shall be considered to be held by the Officers of the Salt Department free of rent under a perpetual title of occupancy,

and

and shall be considered to be, and to have been liable to assessment by the Revenue authorities, when relinquished by the Officers of the Salt Department, in the same manner as if they had been farmed by an individual from Government, and had become open to re-settlement on the expiration of his lease.

Twelfth. Salt lands, upon which Salt works have been established, whether before or after the perpetual settlement shall, provided they have been worked for twelve years, without claim on the part of any one to receive a rent or compensation for the use of the same, be deemed to be the absolute property of Government.

What lands to be considered as the property of Government.

Thirteenth. Salt lands, upon which Salt works were established after the perpetual settlement, and for the use of which a rent or consideration may be now paid to individuals shall, until otherwise determined by a decree of Court, be deemed to be the property of the said individuals, who for so long as the lands may be occupied by the Salt Department shall receive the same rent as they received for the use of the same in the past year. The rent is to be paid in money, and to be charged in the Salt Agent's accounts, amongst other expences of the manufacture, without any demand being made on the contractors or Molungees on account thereof unless otherwise specially authorized. This payment is to continue as long as the Salt Department shall retain possession of the lands, and to cease when those lands shall lose their saline quality, and be given up by the Salt Agents. Provided, however, that nothing in this Clause shall be construed to preclude the Revenue Officers from proceeding under

What lands to be considered as belonging to individual proprietors.

Rents how to be paid.

der the Rules of Regulation II. 1819, to assess the lands so occupied by the Salt Department, if the same be chargeable with Revenue on account of the rent paid by that Department, or the collections otherwise made by the party claiming to be proprietor.

Salt lands, how to be occupied by Officers of Salt Department.

X. *First.* Salt lands may be occupied as heretofore by the Officers of the Salt Department, an adequate compensation being made to the proprietors if the lands be private property—the Salt Agent on taking possession of any such land shall notify the circumstance by causing a flag to be exhibited on the spot, and by publishing an Ishtahar, defining as accurately as possible, the situation and limits of the land occupied by him,—such Ishtahar to be stuck up in the Collector's cutcherry, and the Agent's own Office, and persons claiming to be proprietors of such land, who may neglect or delay to prefer such claims, shall not be held entitled to any arrears of rent beyond the year in which their claim may be afterwards preferred.

Claims to lands so occupied how to be prosecuted and adjusted.

Second. Upon any zemindar preferring a claim to property in lands occupied for the Salt manufacture, and for which no rent, or consideration shall have hitherto been paid to any individual, the Salt Agent and Collector, or both, where the two Offices may be held separately, shall either proceed in person, or depute a substitute or substitutes, being if possible, European public Officers to determine by enquiries on the spot, how far, with reference to the principle laid down in Section III. Regulation II. 1819, the Chur or other Salt land is part of the zemindar's assessed estate. The

Collector

Collector will, at the same time, call upon the zemindars to produce any evidence or documents on which he may rely in proof of his claim, and shall regularly enter the same on the proceedings, together with a statement of the fact, established by the local enquiry (whether conducted by the Collector himself, or by an Officer specially commissioned,) and shall finally record his own opinion on the case in a Persian or Bengally roobukaree. If the Collector shall be satisfied, that the land in question is part of the zemindar's estate, he shall adjust, subject to the instructions of the Board of Revenue, the consideration to be paid by the Salt Department for the use of the Chur or other Salt land, carefully specifying the extent and limits of the same. If the zemindar shall not agree to the terms proposed by the Collector, the amount of rent or compensation to be paid shall be settled under the Rules above enacted, for settling generally the course to be followed in effecting a constrained transfer of private property for public purposes, reference being had to any injury the zemindar may sustain by having the manufacture conducted on his estate, as well as to any profit he might otherwise derive from the land. If the Agent shall consider the amount awarded to the zemindar to be too great, he shall nevertheless pay it for the first year, and may then remove. If the Agent shall agree to the award, the same rate will be paid annually during occupancy without reference to what may be the subsequent extent of the manufacture, or to the quantity of land comprised in the Chur.

What course to be followed if land claimed by zemin-

Third. If on a claim being preferred as above by a zemindar,

dar, shall appear to Collector to belong to Government.

zemindar, the Collector shall be of opinion that the Chur or Salt land belongs to Government, he shall nevertheless proceed to adjust with the Agent the amount of rent, to be paid by the Salt Department for the use of it, and will in this case transmit his proceedings to the Board for their decision on the zemindar's claim. Provided also, that in cases in which the Collector may decide in favor of the zemindars, it shall still be competent to the Board to call for his proceedings, and to pass judgment on the claim, whenever from the representation of the Salt Agent, or otherwise they may see reason to think the decision of the Collector erroneous. The decision of the Revenue authorities, when in favor of Government, will be of course liable to be contested by suit in Court. If the property in any land occupied, as aforesaid, shall be decreed to the claimant, he will become entitled to the rent with which the Revenue authorities may have charged the Salt Department: and if he be dissatisfied with the rent so fixed, the amount to be received by him shall be settled by arbitration in the manner hereinbefore provided for the adjustment of the compensation to be paid for land taken for public purposes. But in such case the possession of the Salt Agent shall not be disturbed so long as he shall discharge the rent awarded to the proprietor.

Pending claims how to be adjusted.

Fourth. The same mode of adjustment shall be observed in regard to all claims now pending for compensation for the use of Salt lands, but no remission of Revenue shall be granted on this or the like account.

Rent of land occupied by Salt Department, when to cease.

XI. The rent of land occupied by the Salt Department shall

shall be payable, unless otherwise specially settled, by the Bengal year, and whenever a Salt Agent shall see fit to remove from any Salt lands occupied by him, he shall cause the flag to be withdrawn within one month, after the expiration of the manufacturing year, and shall further give notice of his intention to do so by an Ishtahar, published in the mode directed to be followed on the first occupation of Salt lands, such notice to be given before the commencement of the ensuing Bengal year; and if any Agent shall neglect to give due notice as aforesaid, and shall not be otherwise able clearly to shew that the owner of the land occupied by him was fully apprized of his intention to quit previously to the expiration of the last year of his occupancy, then the owner shall be entitled to recover damages to the extent of one year's rent of the land, but shall not have any further claim on the Agent, or Government, on account of arrears of rent, unless such arrears shall be due on account of years included in the term of a specific engagement.

Cultivation of Salt Churs without permission of Board of Customs, Salt and Opium, prohibited.

XII. No cultivation shall be allowed within the limits of any Chur or other lands transferred to the Salt Department, unless with the permission of the Board of Customs, Salt and Opium, so long as the manufacture shall be continued on the same, and it shall and may be lawful for the Salt Agent, and his subordinate Officers to attach, confiscate, and dispose of, as may be directed by the Board, any crops grown on such land in contravention of this Rule, and to require the Police to aid him in doing so. And any person illicitly cultivating, clearing, or ploughing such land, or doing

any

any act preparatory to it's cultivation and clearance, or causing another to do so, shall, on conviction before a Magistrate, be subject for every such offence to a fine not exceeding five hundred rupees, besides being liable in a civil action for any damage which the Salt Department may sustain. Provided, however, that if any Chur or other Salt land occupied as above shall become thro' natural causes, useless for the purposes of the Salt Department, the proprietor thereof shall be entitled to recover possession of the same on establishing the fact to the satisfaction of the Board of Customs, Salt and Opium, or by a regular suit in Court, and on relinquishing the compensation paid to him by the Salt Agent for the use of the land.

Churs and Salt lands not belonging to individuals, how to be held by the Officers of the Salt Department.

XIII. Churs and Salt lands, now occupied by the Salt Department, and for which no compensation may be now paid or be hereafter adjusted to be due, as well as all such Churs and Salt lands as may be declared to be the property of Government, shall be held by the Salt Agents under regular puttas from the Collector, containing as accurate a specification as possible of the extent and limits of the land. All such lands shall upon their losing their saline quality, and becoming unfit for the Salt manufacture, be made over to the Collector, and if cultivation be found in such Churs or lands before or after the Officers of the Salt Department may have relinquished them, it shall at any time be competent to the Collector to cause a settlement to be made on the part of Government with the actual cultivators, without reference to the pretension of any one else to take the rents from these. In like manner the Revenue authorities may sell the

the Government interest in such lands, or let them in farm with such assessment, as it may appear proper to impose.

XIV. *First.* The following Rules are enacted for the purpose of defining and settling the relative rights of Government and of the zemindars in regard to the waste lands whence fuel is procured for the Salt manufacture, with reference to the principles on which the monopoly was established at the period abovementioned and the practice since followed.

Rules for settling the relative rights of zemindars and Government in respect to fuel lands.

Second. In cases wherein no engagements may have been entered into, for specific lands with ascertained limits, the Salt Department shall be considered to have the right of free fuel from all jungle or waste land lying within estates, the owners of which are allowed a remission of Revenue, or receive rent from, or on account of the Salt Department, to the full extent of the manufacture now established so long as the said remission and rent shall continue to be allowed and paid. Fuel required for new or additional khalaries is to be procured by agreement with the owner, or cut from land the property of Government.

Where no specific engagements exist, the Salt Department shall be held to be entitled to free fuel, to the extent of the existing manufacture from waste land within estates, of which the owners receive remissions.

Third Nothing contained in the above Clause shall be construed to affect the rights of Government in land specifically reserved for the supply of fuel, nor shall the above provision be construed to authorize the Officers of the Salt Department to prevent the cultivation of waste or jungle land, unless the same shall have been reserved under specific engagements.

The above provision not to affect rights specifically reserved, nor to entitle the Officers of Salt Department to prevent cultivation.

gagements. If it be required to reserve any fuel lands beyond those already reserved for the use of the Salt Department, an arrangement must be made for the purpose with the proprietors of the land, or measures taken for effecting the transfer of them to Government as hereinafter specified.

In what cases recourse shall be had to the proceeding specified in Section IV.

Fourth. If any zemindar shall refuse to allow the Salt Officers to take on reasonable terms the fuel required by them from the jungle lying within his estate, such fuel not being demandable, under the Second Clause of this Section, the necessary fuel shall be taken, and a just compensation settled under the Rules prescribed in the third and four following Sections of this Regulation. The same course of proceeding shall be followed in cases in which the interest of the Salt Department shall render it necessary to reserve any parcel of fuel land, and the owner thereof shall refuse to surrender it on equitable terms.

Declaration as to the extent of privilege secured to the Salt Department by remissions granted on account of collections made previously to the Bengal year 1188, in cases wherein further rents, or remissions may have been granted.

XV. In cases wherein any rent or remission may have been paid or allowed to any zemindar or other proprietor of land, in addition to the remission granted on account of khalaree rents, collected previously to the Bengal year 1188, the receipt of the remission last mentioned shall be held only to bind the zemindar or other proprietor of land receiving the same, to allow the right of free fuel to the extent of the manufacture established in the year aforesaid; and on the other hand, the Government shall not be bound to continue any rent or remission now paid or allowed in addition to the remission granted as aforesaid, if the manufacture shall be reduced to the standard of the said year, but on the discontinuance

discontinuance of the khalarees established since that period, or on the reduction of the extent of manufacture to the standard of the said year, Government shall be entitled to discontinue any rent or remission paid or allowed on account of such khalaree, and further shall be competent to cause a new adjustment to be made of the rent or remission to be hereafter paid on account of khalarees established since the year abovementioned.

A. D. 1824. REGULATION II.

A REGULATION *for abolishing the Furruckabad Mint, and for modifying some of the Rules in force relative to the Furruckabad Rupee;*—PASSED *by the Right Honorable the Governor General in Council on the 5th February* 1824, *corresponding with the 24th Maug* 1230 *Bengal era; the 20th Maug* 1231 *Fusly; the 25th Maug* 1231 *Willaity; the 5th Maug* 1880 *Sumbut; and the 4th Jumadee-us-Sanee* 1239 *Higeree.*

WHEREAS provision has been made by Regulation XXVI. 1817 for the coinage of the Furruckabad Rupee, at any of the Mints established by Government: and it appears to be no longer necessary to continue the Mint at Furruckabad for the coinage of the said Rupee;—And Whereas it is expedient to modify the existing Rules relative to the currency of Furruckabad Rupees, in conformity with the principle already applicable to the Calcutta Sicca Rupee, under Preamble.

der the provisions of Section I. Regulation XIV. 1818, the following Rules have been enacted to be in force from the date of their promulgation.

The Mint at Furruckabad abolished.

II. The Mint established at Furruckabad under Regulation XLV. 1803, shall be abolished; and all Rules which require or can be construed to require, that any Money or Bullion shall be sent to or received for coinage at the said Mint, are hereby rescinded:—Provided, however, that all persons, who, previously to the promulgation of this Regulation, may have brought coin or bullion to the said Mint for coinage, shall be entitled to receive the produce thereof under the Rules of Regulation II. 1812, or an equivalent sum.

Proviso in regard to coin or bullion brought to the Mint at Furruckabad for coinage, previously to the promulgation of this Regulation.

Furruckabad Rupees, and Half and Quarter Rupees, to be still receivable in all public and private transactions, if not below a certain weight.

III. In modification of the Rules contained in Sections XXXIII. and XXXV. Regulation XLV. 1803, it is hereby enacted that all Furruckabad Rupees, and Half and Quarter Rupees, shall be receivable in all public and private transactions, if, when separately weighed, the deficiency in point of weight be not more than two pies, or grains Troy 1. 875. per Rupee.

A. D. 1824. REGULATION III.

A REGULATION *to empower Government to extend the Jurisdiction of Registers in certain cases.—Passed by the Governor General in Council on the* 12*th February* 1824, *corresponding with the* 1*st Phaugun* 1230 *Bengal era; the* 27*th Maug* 1231 *Fusly; the* 2*d Phaugun* 1231 *Willaity; the* 12*th Maug* 1880 *Sumbut; and the* 11*th Jumadee-us-Sanee* 1239 *Higeree.*

BY the Provisions of Regulation II. 1815, it is made competent to the Governor General in Council to invest a Register stationed at a place not being the station of the Zillah or City Dewanny Adawlut, with original jurisdiction in the cognizance and trial of summary suits originating in portions of districts different from the district to which such Register may stand appointed.—With a view to the farther relief of the Judges of the Zillah and City Courts from the arrears of business depending before them, it is expedient to make it competent to the Governor General in Council to extend the jurisdiction of such Registers in regular suits.

The,

The following rules have accordingly been enacted to be in force from the period of their promulgation throughout the provinces immediately subject to this Presidency.

Registers may be empowered to investigate regular suits arising in any portion of any district, in which he may exercise the powers of Joint Magistrate.

II. *First.* It shall be competent to the Governor General in Council to extend the jurisdiction which may be vested in a Register, with regard to the cognizance and trial of regular suits under the Provisions of Regulation XXIV. 1814, Sections XI. XII. and XIII. Regulation II. 1821, and the other rules in force upon the subject, to those portions of other districts in which such Register may be authorized to exercise the powers of Joint Magistrate.

Provisions in the existing Regulations, applicable to such suits.

Second. The provisions contained in the existing Regulations for the guidance of Registers stationed at a distance from the Sudder station, shall be equally applicable to the trial and decision of suits which may be instituted before them or referred to them under the foregoing Clause.

Reports to be furnished by such Registers to the Judge of the Zillah or City within whose jurisdiction the suit may have originated.

Third. All periodical and other reports prescribed by the Regulations, or the order of the Sudder Dewanny Adawlut, shall be furnished by such Registers, to the Judge of the Zillah or City Courts within whose jurisdiction such suits may have originated.

A. D. 1824. REGULATION IV.

A REGULATION *to provide more effectually for the Office of Register of Deeds.—Passed by the Governor General in Council on the* **12th** *February* **1824**, *corresponding with the* **1st** *Phaugun* **1230** *Bengal era; the* **27th** *Maug* **1231** *Fusly; the* **2d** *Phaugun* **1231** *Willaity; the* **12th** *Maug* **1880** *Sumbut; and the* **11th** *Jumadee-us-Sanee* **1239** *Higeree.*

Preamble.

BY Section XV. Regulation XXXVI. 1793, and the corresponding provisions in Regulations XXVIII. 1795. XII. 1805. and XVII. 1803, for Benares, Cuttack and the Ceded and Conquered Provinces, the Zillah and City Registers who are also Registers of Deeds, under those Regulations, are permitted, in case of absence from their stations, sickness, or any other disqualification from personal attendance, to appoint (with the approbation of the Judge to whom they may be Registers respectively) a deputy, being a covenanted servant of the Company, to act for them in the registry of Deeds; and such

such deputy, so appointed and approved, after taking a similar oath to that prescribed for the Register, is authorized to perform the several acts which the Register is empowered to perform, under the Regulations abovementioned, and such as have been since enacted relative to the registry of Deeds; but much inconvenience has been experienced by the community in consequence of Registers, who may be on leave of absence, on deputation, or otherwise disqualified, omitting to appoint a deputy, in the mode prescribed; and also in consequence of occasional vacancies in the office of Zillah or City Register, in which case no provision is made by the existing Regulations for the performance of the duty of Register of Deeds. With a view therefore to provide against the recurrence of such inconvenience, and to supply what is defective in the existing Regulations, the following rules have been enacted, to be in force from the date of their promulgation, in the provinces immediately subject to the Presidency of Fort William.

The office for the Registry of Deeds to be established at the Sudder station of the Zillah or City Court.

II. The office for the registry of Deeds in the several Zillahs and Cities, which is provided for by Regulation XXXVI. 1793, extended to Benares by Regulation XXVIII. 1795, and to Cuttack by Section XXXII. of Regulation XII. 1805, and re-enacted for the Ceded Provinces in Regulation XVII. 1803, extended to the Conquered Provinces and Bundlekund by Clause First, Section XVII. Regulation VIII. 1805, shall, in all cases be established at the station of the Zillah or City Court, and shall, as directed by the Regulations abovementioned, be superintended by the Register of the Zillah or City Court, or where there may be more Registers than one, by the Register employed at the station

Superintended by the Register.

If there be more than one Register by the Register employed at the Sudder station.

station of the Zillah or City Court, so long as he may continue to reside at such station, and as already required by the Regulations in force, he shall personally discharge the duties of the office committed to him, whilst present at the station, unless prevented by sickness, or otherwise; in which case, as well as in all cases of temporary absence from the station, he is permitted, as heretofore, with the approbation of the Judge of the Zillah or City Court to which he may be attached, to appoint a deputy, being a covenanted servant of the Company, and duly qualified to act for him; who after taking an oath, similar to that prescribed for the Register of Deeds, is authorized to perform the several acts which the Register is empowered to perform.

If the Register be prevented from performing this duty by sickness, &c. may appoint a Deputy.

With approbation of the Judge.

Deputy to be a Covenanted servant.

Must take oath.

III. Whenever a Zillah or City Register vested with the superintendence of the Registry Office, may be absent from the station where the office is established without having appointed a deputy, in pursuance of the foregoing Section, the Judge of the station is hereby authorized to appoint some duly qualified covenanted servant of the Company to act as Deputy Register of Deeds, and the Deputy so appointed, after being duly sworn, shall be authorized to perform the prescribed duties of the office.

If Register vested with superintendence of the office be absent from Sudder station, and have not appointed a Deputy, the Judge authorized to appoint a Deputy.

IV. It shall moreover be the duty of the Zillah or City Judge to appoint a qualified person, being a covenanted servant of the Company, to officiate as Register of Deeds, whenever, from a vacancy in the office of Register, the nomination of a deputy cannot take effect, agreeably to the preceding Section.

Judge shall appoint a qualified person being a covenanted servant to act as Register of Deeds, when from a vacancy in an office of Register, a deputy cannot be appointed.

V.

If there be no qualified person at the station, the Judge is authorized and required to perform the duty himself.

V. In the event of there being no covenanted servant at the station, to whom in the cases mentioned in the two preceding Sections, the Judge may deem it proper to confide the office of registering deeds, he is himself hereby authorized and required to perform the prescribed duties of the office.

Registry of Deeds hitherto duly executed by other covenanted servant than the Register, with the permission of Judge, in absence of Register, equally valid, as if executed by Register.

VI. The registry of all Deeds which may have been hitherto duly executed by a Zillah or City Judge, or other covenanted servant, with his sanction, in the absence of the Register, is hereby declared to be of equal validity, as if it had been executed by the Zillah or City Register.

Deputy or Acting Register to receive the fees.

VII. The deputy or officiating Register appointed under Sections II. III. or IV. of this Regulation shall receive during the time of his officiating, the fees authorized by the Regulations; but whenever the Judge may perform the duty, under Section V. the net amount of such fees after defraying the necessary expence of the establishment, shall be carried to the credit of Government.

Fees to be carried to the credit of Government when the Judge registers deeds after defraying the necessary expence of the establishment.

A. D. 1824. REGULATION V.

A **REGULATION** *for extending the operation of Regulation VI.* 1823, *to the Provinces of Orissa, Behar and Benares, and to the Ceded and Conquered Provinces.—Passed by the Governor General in Council on the 4th March* 1824, *corresponding with the 22d of Phaugoon* 1230 *Bengal era; the 19th Phaugoon* 1231 *Fusly; the 23d Phaugoon* 1231 *Willaity; the 3d Phaugoon* 1880 *Sumbut, and the 2d Rujeeb* 1239 *Higeree.*

WHEREAS it has been deemed expedient to extend to the Provinces of Orissa, Behar and Benares, and to the Ceded and Conquered Provinces the operation of Regulation VI. 1823, entitled "a Regulation for authorizing the institution of Summary Suits, to enforce the execution of certain written engagements for the cultivation and delivery of Indigo plant, and for declaring certain principles in regard to the same," the following rule has been enacted to take effect

Preamble.

effect in the provinces above enumerated from the date of the promulgation of this Regulation.

Regulation VI. 1823, extended to the Provinces of Orissa, Behar and Benares, and to the Ceded and Conquered Provinces.

II. The operation of the provisions of Regulation VI. 1823, is hereby extended to the Provinces of Orissa, Behar and Benares, and to the Ceded and Conquered Provinces.

A. D. 1824. REGULATION VI.

A REGULATION *for defining the course of proceeding to be pursued by the Magistrates with respect to Individuals charged before them with two or more offences in certain cases; for modifying Clause Second, Section II. and for amending certain other provisions of Regulation XII.* 1818:—PASSED *by the Governor General in Council on the* 25*th March* 1824, *corresponding with the* 14*th Chyte* 1230 *Bengal era; the* 10*th Chyte* 1231 *Fussily; the* 15*th Chyte* 1231 *Willaity; the* 10*th Chyte* 1880 *Sumbut; and the* 23*d Rujeeb* 1239 *Higeree.*

WHEREAS it appears requisite to define the course of proceeding to be pursued in cases of individuals charged before a Magistrate with two or more offences of the nature described in Clause Fourth, Section II. and Clause Fourth, Section III. Regulation XII. 1818, for each of which they would be liable to the punishment prescribed in Clause Fifth, Preamble.

Section

Section II. and Clause Fourth, Section III. of the above Regulation; and Whereas it appears expedient to authorize the Magistrates to commit persons charged with the offence of burglary, (as they are now authorized in cases of theft) to take their trial before the Court of Circuit whenever they may appear to the Magistrate to be deserving of a severer punishment than he is authorized to inflict, although none of the circumstances of aggravation enumerated in Clause Second, Section II. of the above Regulation may exist; and Whereas it appears expedient to amend certain other provisions of that Regulation, the following rules have been enacted to be in force from the promulgation of them throughout the territories immediately dependent on the Presidency of Fort William.

No sentence to be passed by Magistrate on individuals charged with two or more distinct offences punishable under Sections I, II, & III, Regulation XII, 1818, until the proceedings in both cases are completed.

II. *First.* Whenever a prisoner may be charged before a Magistrate or Joint Magistrate with two or more distinct offences, for neither of which he may have been previously brought to trial; but for each of which he would be subjected, on conviction, to the penalties prescribed by Clause Fifth, Section II. or Clause Fourth, Section III. Regulation XII. 1818, the Magistrate shall refrain from passing any sentence until he shall have completed his proceedings in both cases.

On conviction of two or more charges, Magistrate may pass sentence of punishment to the extent authorized for one, if such punishment appears sufficient.

Second. Should the prisoner be convicted of two or more of the offences charged, the Magistrate is authorized to reduce the punishment so as not to exceed in the aggregate thirty stripes with a ratan and imprisonment for the term of two years, provided he shall be of opinion, on consideration of the several acts of criminality established against the prisoner

and

and the circumstances of each case, that the punishment above specified is sufficient.

Third. If however the Magistrate should be of opinion that the prisoner is deserving of a more severe punishment than that above specified, he shall refrain from passing any sentence, and shall commit the prisoner to take his trial before the Court of Circuit for each offence.

If not sufficient, the Magistrate to commit the prisoner to the Court of Circuit for trial for each offence.

III. In modification of Clause Second, Section II. Regulation XII. 1818, the Magistrates are hereby declared to be empowered to commit for trial to the Court of Circuit any person charged with the offence of burglary, whenever they may be of opinion, that there exist any circumstances of aggravation (though not of the nature specified in the Clause above quoted) such as to render the prisoner deserving of a more severe punishment than the Magistrates are competent to inflict.

Clause Second, Section II. Regulation XII. 1818, modified.

IV. A doubt having arisen whether the amendment of Section III. Regulation XII. 1818, contained in Section IV. Regulation IV. 1820, in cases of theft, when the amount or value stolen shall exceed the sum of three hundred Rupees, was meant to be applied to purchasers or receivers of stolen property, in amendment of the Second Clause of Section IV. Regulation XII. 1818, it is hereby declared that the provision for commitment to the Court of Circuit, contained in Section IV. Regulation IV. 1820, is applicable to purchasers and receivers of stolen property, knowing at the time that such property was stolen, when the amount or value of the property stolen shall exceed three hundred Rupees.

Section IV. Regulation IV. 1820, applicable to purchasers and receivers of stolen property when the amount or value stolen, shall exceed three hundred Rupees.

V.

Sections II. III and IV. of Regulation XII. 1818, amended.

V. It is further declared, in amendment of the provisions for commitment to the Court of Circuit, contained in Sections II. III. and IV. of Regulation XII. 1818, that a previous conviction of petty, theft, not exceeding ten Rupees, when unattended, with any aggravating circumstance, shall not be deemed a previous conviction of a heinous crime, such as precludes the Magistrate's judicial cognizance of a charge of burglary or theft, or of buying or receiving stolen property and requires that the prisoner be committed for trial before the Court of Circuit, in any of the Sections above-mentioned.

A. D. 1824. REGULATION VII.

A REGULATION *for explaining and amending certain parts of the Regulations at present in force, respecting the manufacture and sale of Spirituous Liquors and Intoxicating Drugs, and for enacting certain Rules for the better security of the Revenue derived from the exclusive manufacture and sale of Opium* :—PASSED *by the Governor General in Council on the* 25*th March* 1824, *corresponding with the* 14*th Chyte* 1230 *Bengal era*; *the* 10*th Chyte* 1231 *Fussily*; *the* 15*th Chyte* 1231 *Willaity*; *the* 10*th Chyte* 1880 *Sumbut*; *and the* 23*d Rajeb* 1239 *Higeree.*

WHEREAS doubts having arisen whether the Rules prescribed in Regulation X. 1813, are applicable to the retail sale of Spirits imported by Sea, or manufactured in this Country at Distilleries worked according to the European process

Preamble.

process, it is advisable that such doubts should be removed; and whereas it is also deemed expedient to make certain alterations in the Rules at present in force respecting the manufacture and sale of Spirituous Liquors and Intoxicating Drugs; and whereas the existing provisions for the security of the Revenue derived from the exclusive manufacture and sale of Opium, and for the realization of the Custom duty chargeable on Foreign Opium imported by Sea, have been found insufficient; the following Rules have been passed, and are to be in force from the date of their promulgation throughout the territories immediately dependent on the Presidency of Fort William.

The retail sale of Spirits, Wines and all kinds of fermented Liquors, except under a Collector's license, declared to be illegal and subject to penalties.

II. *First.* It is hereby declared and enacted that the retail sale of Spirituous Liquors, whether imported by sea, or land, or manufactured in this Country, by whatever process, except under licenses from a Collector, or Assistant Collector, or other Officer duly authorized to grant such license, is and shall be considered to be illegal, and the Rules of the existing Regulations, whereby certain penalties are prescribed for the illicit sale and manufacture of Spirituous Liquors, shall be held to be equally applicable to all descriptions of Spirits, unless otherwise specially provided. In like manner the retail sales of Wines, or fermented Liquors of any description, except under license, is hereby prohibited, under pain of the same penalties, as are prescribed for the illicit sale of Spirituous Liquors.

Persons not being British born Subjects prohibited from con-

Second. Persons not being British born subjects shall not construct, or work a Distillery of whatever description within

within the said Territories, nor sell within the same, Spirits or Wines of any kind, whether imported by sea or land, or manufactured in the Country, without a license from the Collector of the district, or other Officer in charge of the Abkarry Mehal.

structing or working distilleries, and from selling Spirits, Wines, &c. without a license.

Third. In like manner persons being British born subjects, shall not construct or work a Distillery of any description at a distance, exceeding ten miles from the Town of Calcutta, nor retail Spirits or Wines of any kind in any part of the Territories dependent on this Presidency, without a license from the Collector of the district, or other Officer in charge of the Abkarry Mehal, or specially appointed by Government to collect the duties chargeable on Spirits manufactured by the said persons.

British born Subjects prohibited from constructing or working a Distillery at more than ten miles from Calcutta, and from retailing Spirits, Wines, &c. in any part of the country without a license from the Collector of the district.

Fourth. British born subjects who may work or construct a Distillery after the manner in which Distilleries are constructed and worked in England, at any place, of which the distance from Calcutta may not exceed ten miles, shall continue and are hereby declared to be subject to the Rules contained in Regulation II. 1802. Provided, however, that it shall at all times be competent to the Governor General in Council, by an order in Council, to invest such person or persons as may be judged proper with the powers and authority, which, under that Regulation, belong to the Justices of the Peace acting in and for the 24-Pergunnahs, and the districts adjacent to Calcutta.

Such persons constructing or working a distillery in the European manner within the limits above specified, to continue subject to the Rules contained in Regulation II. 1802.

Proviso.

Fifth. All persons not being British born subjects who

Distillers to pay the prescribed still head

duty to the Collector &c. in charge of the Abkarry Mehal.

who may construct or work Distilleries as aforesaid at any place whatsoever, within the Provinces subordinate to this Presidency, as well as all British born subjects who may construct or work such Distilleries at any place, of which the distance from the Town of Calcutta may exceed ten miles, shall pay the still head duty, prescribed by the said Regulation to the Collector or Officer in charge of the Abkarry Mehal, or such other Officer as the Boards of Revenue may direct to adjust, or receive the same, and the powers vested by the said Regulation in the Justices of the Peace, acting in and for the districts aforesaid, in regard to Distilleries constructed or worked as aforesaid, beyond the limits aforesaid, are hereby vested in the Collectors and other Officers in charge of the Abkarry Mehal for their respective districts.

Collectors, &c. authorized to exercise the powers vested by Regulation II. 1802, in Justices of the Peace.

Proviso in cases where it may be deemed necessary to suspend the operation of particular Rules.

Sixth. Provided however, that when from local circumstances or other sufficient cause, it shall appear to be expedient to suspend the operation of any part of the Rules contained in Sections IV. V. VI. VII. VIII. X. XI. XII. XIII. and XIV. of the aforesaid Regulation, with a view to the relief of the Distillers from unnecessary interference, it shall be competent to the Governor General in Council, by an order in Council, to direct the said rules, or any part of them to be suspended for such period as may from time to time appear proper, and in lieu thereof to prescribe such other rules relative to the payment of the duty chargeable to the passing and storing of the Spirits manufactured, and of the stills, coppers, casks, and other utensils employed in the Distillery, to the inspection and examination of the Distillery, and the

And power reserved to substitute such other rules as may from time to time appear expedient.

the warehouses, godowns or other places used for manufacturing or storing the spirits, and to the furnishing of periodical statements and lists of the spirits and utensils aforesaid, as may from time to time be judged expedient, and for any breach of the rules so prescribed the party offending shall, in addition to all other forfeitures, that may attach to the act, forfeit to Government a sum equal to the penalty prescribed for a violation of the rule contained in the Fourth Section of Regulation II. 1802.

To what description of Spirits the rules in force relative to a drawback on exportation are to be considered applicable.

III. *First.* The rules contained in Sections XVI, XVII, XVIII, XIX, XX and XXI, Regulation II, 1802, are hereby declared to extend to all Spirits whatsoever, manufactured in this Country at Distilleries constructed and worked after the manner in which Distilleries are constructed and worked in England. The drawback payable on the exportation of all such Spirits shall be paid by the Collector of Customs, and the accounts thereof shall be adjusted in such manner as the Governor General in Council may direct.

Spirits manufactured within the Foreign Settlements, prohibited from being carried out of the limits of such Settlements, until the still head duty shall have been paid.

Second. Spirits manufactured within any of the Foreign Settlements on the River Hooghly, shall not be carried out of the limits of such settlements, until a duty equal to the still head duty chargeable on Spirits, manufactured as aforesaid, shall have been paid to the Collector at Hooghly, or such other Officer as the Governor General in Council may appoint, and a pass for the same obtained from such Officer.

Rate of duty to be paid to Government by persons receiving

IV. *First.* All persons receiving a license for the retail

a license for the retail sale of Spirits manufactured at any European Distillery.

retail sale of Spirits, manufactured at any European Distillery, shall pay a duty to Government of such amount per gallon, as shall with the still head duty equal the highest amount, payable under the rules of Regulation X. 1813, on Spirits manufactured at the Sudder Distillery of the district in which such retail sale shall be conducted, or at the nearest Sudder Distillery, if there be none within the district, due allowance being likewise made for the difference in the strength of the Spirit.

A retail duty to be paid on all Spirits imported by Sea.

Second. All persons receiving a license for the retail sale of Spirits manufactured in Europe or America, of Batavia or Ceylon Arrack, or of any Spirits whatsoever imported by Sea, shall in like manner pay a retail duty to Government of such amount per gallon, as shall with the duty of customs, or other duty paid on the importation of the said Spirits, equal the highest amount of duty payable on Spirits, manufactured at the Sudder Distillery of the district, or at the nearest Distillery, if there be none within the district, allowance being made for the difference in the strength of the Spirits.

And upon the retail sale of Wines.

Third. Persons receiving a license for the retail sale of Wines of any sort, shall pay a retail duty to Government equal to the duty payable under the above Clauses on proof Spirits.

Retailers of Wines or Spirits previous to receiving a license to enter into engage-

Fourth. Persons receiving licenses for the retail of Wines or Spirituous Liquors, shall be previously required to enter

enter into such agreements, relative to the payment of the retail duty, and with such security as the Officer granting the license, or the Board, or other authority, under which such Officer may be placed, shall from time to time direct; and any breach of the conditions stipulated in such agreements shall, besides the forfeiture of any penalty specially provided for, subject the offender to the penalties prescribed for the illicit sale of Spirituous Liquors.

ments, and give security for paying the retail duty.

Penalty for any breach of such engagements.

V. *First.* The wholesale vend of Wines and Spirits beyond the limits of Calcutta, excepting under licenses from the Collector, or other Officer in charge of the Abkarry Mehal, is hereby prohibited. Persons receiving such licenses shall pay a fee of sixteen rupees for each license received by them.

Prohibition against the wholesale vend of Wines and Spirits, beyond the limits of Calcutta, except by license.

A fee to be paid for such license.

Second. Any sales of Wines or Spirituous Liquors, in a less quantity than two gallons, shall be held to be a retail sale.

The Sale of less than two gallons of Wines or Spirits to be considered a retail sale.

VI. Licenses for the retail sale of Spirits, manufactured at the Sudder Distillery, as well as licenses to persons authorized to manufacture or sell Spirits manufactured after the Native process, at places beyond the boundaries prescribed for the Sudder Distilleries, shall continue to be granted under the provisions of Regulation X. 1813. Provided, however, that such part of the said provisions as prohibit the introduction within four coss of the place, at which the Sudder Distillery of a district is stationed, of Spirits manufactured at any other place, shall be held to apply only to persons introducing Spirits

License for the retail sale of Spirits manufactured at or beyond the boundaries of the Sudder Distilleries to be granted, as heretofore.

Proviso.

Spirits within the said limits, without having a regular license or pass from an Officer authorized by Government to grant the same, and shall not be construed to restrict the Revenue authorities from granting licenses or passes, nor to affect their validity when granted.

Such parts of the Regulations in force as restrict the Revenue authorities in regard to the period for granting licenses for the manufacture and sale of Spirits, &c. rescinded.

VII. *First.* Such parts of Sections XIX. and XXVII. Regulation X. 1813, or of any other provision, or Regulation in force, as restrict or can be construed to restrict the Revenue authorities in the exercise of their discretion relative to the period for which licenses for the manufacture or sale of Spirituous Liquors, Taury or Putchwye, or of intoxicating drugs, shall be granted, is hereby rescinded.

Licenses for the retail sale of Spirits, &c. to be granted for one year, unless otherwise specially ordered by Government or the Board of Revenue.

Second. Licenses granted under the provisions of this or any other Regulation, for the retail sale of Spirituous Liquors, Taury, or Putchwye, or of intoxicating drugs, shall be in force for one year only, from the date on which they may be granted, unless where otherwise specially directed by Government, or by the Board of Revenue, or other authority exercising the powers of that Board, who are hereby declared to be competent, subject to the restriction hereinafter prescribed, to cause licenses for the manufacture or sale of the said articles to be granted for such periods as may in each case be deemed expedient.

Power vested in the Board of Revenue to modify and alter the terms of licenses and engagements as may from time to time appear expedient.

Third. It shall also be competent to the Board of Revenue, or other authority exercising the powers of that Board, with the sanction of Government, to alter and modify the stipulations,

stipulations contained in the licenses held and engagements executed by licensed manufacturers or venders of Spirituous or fermented Liquors, Taury, Putchwye, or of intoxicating drugs, as may from time to time appear expedient, any thing in the existing Regulations notwithstanding, and any violation by such vender or manufacturer of the stipulations specified or engagement executed by him, shall subject the party to the penalties prescribed for illicit sale.

All licenses declared liable to resumption.

Fourth. All licenses as aforesaid shall at all times be resumable by the Officer, by whom they may have been granted, or by any other Officer exercising similar or superior powers, in the management or control of the Abkarry Department at the place, or places to which the license may apply. Provided, however, that if in any case a license shall be resumed, or refused to be granted by the Collector of a district, or Officer in charge of the Abkarry Mehal, and the party may consider himself aggrieved by the order passed by the Collector in his case, he shall be at liberty to appeal from the order of the Collector to the Board of Revenue, or other authority exercising the powers of that Board: and the Board or other authority aforesaid will confirm, modify, or annul the said order as the circumstances of the case may appear to require. Provided further, that, if a Collector or other Officer in charge of the Abkarry Mehal shall cancel the license granted to any retail vender of Spirituous Liquors, or intoxicating drugs, for any cause excepting for a breach of the peace, or a violation of any of the Regulations, or orders of Government, without previous notice of one month, the party whose license may be cancelled shall receive such compensation for any damage

Proviso allowing an appeal to the Board of Revenue in such cases.

Who may award a compensation to the party aggrieved, unless he has broken the peace or violated any of the Regulations.

damage he may thereby sustain as the Board of Revenue, or other authority aforesaid, shall adjudge on a consideration of the circumstances of the case: but no suit, for the recovery of damages alleged to be sustained, from the revocation of a license by a Collector or other Officer in charge of the Abkarry Mehal, shall be entertained by any Court of Judicature.

Courts of Justice prohibited from interference.

Provided likewise, that licenses granted under the provisions of Regulation X. 1813, or Regulation XIII. 1816, of which the period may be limited to one year, and the corresponding engagements entered into by the venders of Spirituous Liquors and intoxicating drugs, shall be required to be formally renewed from year to year: but if the person or persons holding such license shall not give notice to the Collector, or other Officer in charge of the Abkarry Mehal, fifteen days previous to the expiration of the year, according to the era current in the district, of his or their intention to relinquish it at the expiration of the year, and the license be not revoked by the Collector or Officer aforesaid, the license held and engagement entered into by the party shall remain in full force as if the said license and engagement had been solemnly renewed.

Fifteen days notice to be given in certain cases to the Collector before the year expires, or in failure the license and engagement to remain in full force.

VIII. *First.* The Board of Revenue, and other authorities exercising the powers of that Board, are similarly declared competent under the restriction hereafter prescribed, to cause leases of the duties leviable on the manufacture and sale of Spirituous or fermented Liquors, Taury and Putchwye, and of intoxicating drugs, to be granted for such periods as they may deem advisable, such leases to be liable to be revoked by orders of the said Board, or other authority, or of the Governor General in Council, and compensation to be

Board of Revenue declared competent to sanction the grant of leases of the duties leviable on the manufacture and sale of Spirits, &c. for such periods as may appear advisable.

be awarded in such case to the party, in the manner above prescribed for the case of the resumption of licenses.

Second. The rules contained in Regulation XVII. 1814, relative to the recovery of arrears due from persons selling, or manufacturing Spirituous Liquors, Taury, Putchwye, or intoxicating drugs, shall be, and be considered equally applicable to persons to whom the duties leviable on the manufacture and sale of the said articles, or any of them may be farmed, and to the sureties of such persons. Provided further, that the farmers of such duties shall be entitled to use and cause to be enforced the same means and process for the recovery of arrears due to them by the venders and manufacturers of the article aforesaid, or any of them, within the limits of their respective farms, as zemindars, or other sudder malgoozars, do or may lawfully use and cause to be enforced for the realization of arrears of rent due by their under tenants, subject to the same rules and restrictions as attach to such zemindars, and sudder malgoozars in that behalf.

The existing rules for the recovery of arrears due by the venders or manufacturers of Spirits, &c. declared equally applicable to the farmers of duties and their sureties.

Proviso entitling the farmers of duties to enforce the payment of arrears due to them.

IX. *First.* No licenses or leases for a period exceeding five years shall be held to be binding on Government, unless they shall have been granted with the sanction of the Governor General in Council.

Licenses or leases for more than five years declared invalid unless sanctioned by the Governor General in Council.

Second. The following rules are passed in modification of the provisions contained in Section III. Regulation X. 1813.

Third. It shall be competent to the Board of Revenue, or

Board of Revenue empowered to authorize manufactories of

Putchwye and other Spirituous Liquors &c. to be established under the rules in force in any district subject to its authority.

or other authority exercising the powers of that Board, with the sanction of Government, to cause manufactories of the Liquor denominated Putchwye, or any other Spirituous Liquor, or intoxicating drug, to which the system may be advantageously applicable, to be established in all or any of the districts subject to it's authority, under the same rules and provisions as are prescribed in Regulation X, 1813, for the establishment and management of Sudder Distilleries in so far as the same can be applied, and likewise with the said sanction, to make such alterations in, and additions to the existing rules and provisions relative to the management of the said establishments, as may from time to time be deemed expedient.

And to amend and alter such rules when necessary.

Board of Revenue authorized to direct the discontinuance of established Sudder Distilleries whenever such a measure may be deemed expedient

Fourth. It shall and may be lawful for the Board of Revenue, or other authority exercising the powers of that Board, to direct the discontinuance of the Sudder Distillery, or Distilleries, established under the provisions of the aforesaid Regulation, within any of the districts under their superintendence, whenever and so long as such a measure may appear to be expedient, and in such cases, and so long as the said Distillery or Distilleries may be discontinued; the general rules applicable to places beyond the limits of Sudder Distilleries shall apply to the sudder station of the Collector, Deputy or Assistant Collector, and it's vicinity, the special provisions relative to Sudder Distilleries and the places within limits thereof being, to the like extent and for the like period suspended.

Application of the general rules in such cases.

Fifth.

Fifth. Provided also, that it shall and may be lawful for the said Board, or other authority aforesaid, to fix the limits within which the Spirits manufactured at any Sudder Distillery are exclusively to be sold, and the special rules applicable to such Distilleries enforced in such manner as may in each case from time to time appear to be expedient, and wherever the special rules aforesaid may so cease, the manufacture and sale of Spirituous Liquors will of course become subject to the general provisions applicable to places beyond the said limits.

Board of Revenue empowered to fix the limits within which Spirits manufactured at a Sudder Distillery must be sold.

X. *First.* If any British born subject shall retail Spirits or Wines of any description in any place, of which the distance from the town of Calcutta may not exceed ten miles, without a license duly granted to him, he, she, or they, so offending, shall for every such sale, forfeit the sum of Sicca Rupees five hundred, to be heard, adjudged, and determined, according to the rules prescribed in Section XXXIII. Regulation II, 1802.

Penalty to which British born Subjects are declared liable for retailing Spirits or Wines at no greater distance than 10 miles from Calcutta, without a regular license for so doing.

Second. The rules contained in Sections XXI. XXII. XXIII. and XXIV. Regulation X. 1813, are hereby declared applicable to all persons, as well British born as others, who shall retail in any part of the provinces subordinate to this Presidency, at the distance of more than ten miles from Calcutta, Spirituous Liquors, or Wines, of any description, without a license, as well as to all persons not being British born, who shall retail Spirituous Liquors of any description, without a license, in any place beyond the limits of Calcutta.

The existing penal Rules declared applicable to all persons (British born and others) who without a license shall retail Spirits or Wines at any place distant more than ten miles from Calcutta.

And to all persons not being British born, who without a license may retail Spirits at any place beyond the limits of Calcutta.

XI.

Penalty on persons conveying away Foreign or other Spirits not intended for private consumption, without a pass attesting the payment of the prescribed duties.

XI. Foreign Spirits, and Spirits manufactured in this Country, according to the European process, which may be found in transit without the proper Pass, Rowannah, or Certificate attesting the payment of the import or stillhead duty, not being evidently designed for the immediate private use or consumption of the owner, shall be confiscated, and the owner or person in charge of the same shall be subject to the penalties prescribed in Regulation X. 1813, for the illicit sale and manufacture of Spirituous Liquors and intoxicating drugs; the said forfeiture and penalty to be adjudged and determined and enforced, according to the rules of the said Regulation, and other existing Regulations, relative to the adjudication and enforcement of fines and forfeitures for illicit dealings in Spirits and intoxicating drugs. The same penalties shall attach to any person not being a licensed vender, who may be found in possession of any quantity of Spirits or intoxicating drugs, exceeding the quantity which licensed retail venders can, or may, legally sell or allow to be removed from their shops. Provided, however, that the above rules shall not be considered to apply to Liquors which individuals may have legally purchased for private use, and if the quantity may not exceed what the condition and circumstances of the party may render it probable that he should possess for that purpose.

Proviso

Certificates attesting the payment of the still head duty to be granted by the Collector for one year only.

XII. *First.* Certificates attesting the payment of the still head duty shall be granted to all persons removing Spirits from any established Distillery by the Officer or Officers entrusted with the collection of the same, or such per-

son

son as he or they may appoint. Such Certificates shall be in force for one year only from the date on which they may be granted, but the owner of the Spirits covered by any Certificate shall be entitled to an exchange Certificate for another year, on applying to the Officer in charge of the Abkarry Mehal, and satisfying him that the identical Spirits are forthcoming, such Certificate being renewable in like manner yearly. A fee at the rate of two per Cent. on the amount of the duty specified in the Certificate, shall be paid to the Officer granting a renewal of it.

But an exchange Certificate for another year may be granted on application.

A fee to be paid on such renewal.

Second. Any dealer in Spirits being desirous of dividing a dispatch of Spirits, covered by a single Certificate, into smaller quantities, shall be entitled to receive, from the Officer in charge of the Abkarry Mehal, as many parcel Certificates as he may require, on surrendering the original Certificate, and satisfying the Officer that the identical Spirits therein referred to, are forthcoming. A like fee of two per Cent. on the amount specified in the parcel Certificates, shall be paid to the Officer granting the same.

Dealers in Spirits if desirous of dividing a dispatch of Spirits entitled to receive parcel Certificates on surrendering the original Certificate and furnishing satisfactory information.

A fee to be paid on such occasions.

XIII. *First.* Any person entrusted with the charge of a Sudder Distillery, or in any manner employed by the Collector of the Abkarry Revenue, who may be convicted in the mode prescribed by Section XXII. Regulation X. of 1813, of any fraudulent breach of trust in the execution of his duty, shall be subject to the penalties prescribed by Section XXI. of the said Regulation.

To what penalties persons in charge of Sudder Distilleries are subject on being convicted of a fraudulent breach of trust.

Second.

Punishment to which Native Officers are subject on being convicted of conniving at the establishment of unlicensed shops.

Second. Cutwals, Darogahs of Police, Cutwals of Military Bazars, and other Native Officers, invested with local jurisdiction, who may authorize, support, countenance or connive at the establishment of any unlicensed shop or shops in any place subject to their control or influence, shall, besides being liable to dismission from Office, be further subject on conviction before the Magistrate of the Zillah, to the payment of a fine not exceeding Rupees five hundred, the fine, if not duly paid, shall be commutable to imprisonment for a period not exceeding six months.

Informers entitled to a moiety of the fine on the conviction of a Native Officer.

Penalty in Cases where such information originates in malice, &c.

XIV. Any person giving information, by which a Native Officer shall be prosecuted to conviction, shall be entitled to a moiety of the fine which may be levied from the offender. But should it appear on investigation that the information originated in malice, or in motives clearly vexatious and unwarrantable on the side of the informant, it shall be competent for the Officer by whom the case may be tried, to impose such a fine as may appear to be reasonable, not exceeding however in any case fifty Rupees, or to order the offender to be imprisoned for a period not exceeding fifteen days.

Churrus allowed to be retailed under the same rules and restrictions, as Ganja, &c.

XV. By Clause Second, Section XV. of Regulation X. 1813, the sale of Churrus is prohibited; but on a strict examination of that article it does not appear that it is of the noxious quality supposed, nor in any respect more prejudicial to health than Ganja, or other intoxicating drugs, the sale of which has been allowed. It is therefore hereby declared that Churrus may be retailed in the same manner, and, under the

same

same rules and restrictions, as Ganja, and other intoxicating drugs.

XVI. *First.* The following Rule is enacted in lieu of Section XXX. Regulation X. 1813.

Second. If any proprietor, farmer, sezawul, tehsildar or other manager of land shall authorize or connive at the illicit manufacture or sale of Spirituous Liquors, Taury, or intoxicating drugs, whether in a dry state or infused in water or other fluid, within the estate or farm held or managed by them, he shall, on conviction before the Collector of Land Revenue, or other Officer in charge of the Abkarry Mehal, be liable to the payment of a fine not exceeding Rupees five hundred, commutable, if not paid, to imprisonment for a period not exceeding six months.

Punishment to which Proprietors and Managers of land are declared liable on being convicted of conniving at the illicit manufacture or sale of Spirits, intoxicating drugs, &c. within their estates or farms.

Third. All charges of the nature specified in the above Clause are hereby declared cognizable exclusively by the Collector of Land Revenue or other Officer in charge of the Abkarry Mehal, any thing in the existing Regulations to the contrary notwithstanding, and the investigation thereof shall be conducted under the rules contained in Section XXII. Regulation X. 1813. Provided however, that the Collector or other Officer aforesaid shall not in such cases issue a warrant for the apprehension of the person, charged with the said offence, but shall proceed in the manner prescribed in Section LXXXIV. Regulation XIII. 1816, in regard to persons accused of acts done in violation of the rules of that Regulation.

Such charges declared cognizable by the Collector and to be investigated under the rules in force.

Proviso against the issue of a warrant in such cases.

Fourth.

Further proviso as to the mode of proceeding on such occasions.

Fourth. Provided further, that the rules and provisions contained in Sections LXXXI. LXXXII. LXXXV. LXXXVI. LXXXVII. LXXXVIII. LXXXIX. and XC. Regulation XIII. 1816, shall be held and considered applicable to all cases, in which persons shall be accused before the Collector or other Officer in charge of the Abkarry Mehal, of acts rendering them liable to any of the penalties prescribed in this Regulation or Regulation X. 1813.

Power reserved to Government for granting authority to Public Officers and others to seize contraband Spirits, Opium, &c. within certain limits.

XVII. *First.* In modification of the rule contained in Section XLI. Regulation XIII. 1816, it is hereby enacted, that it shall and may be lawful for the Governor General in Council, to grant authority to such Public Officers, or other persons whatsoever, to seize and detain contraband Spirits, Opium, and other intoxicating drugs, and within such local limits as he may from time to time judge necessary or expedient.

Mode of proceeding to be observed on such occasions.

Second. Whenever any person not vested with powers of seizure by the general Regulations may be specially authorized to seize, under the above rule, the arrangement shall be notified by an advertisement published in the Cutcherry of the Officer in charge of the Abkarry Mehal, and in the Adawlut of the City or Zillah within the jurisdiction of which the authority so given is to be exercised.

Penalty on persons concerned in encouraging or advising the illegal cultivation of the poppy.

XVIII. *First.* Any person who shall directly or indirectly be concerned in, or who shall in any way, cause, encourage, promote or advise the illegal cultivation of the poppy, shall

shall be liable to the same penalties and forfeitures, as are prescribed for the case of persons illicitly cultivating the poppy.

Second. All Native Officers of Government of whatever description, including Chokeedars, Pykes, or other Officers of Village Police, are strictly enjoined to assist in preventing the illicit cultivation of the poppy, by giving instant information to the authority to which they are immediately subordinate, whenever it may come to their knowledge, that any land has been illicitly so cultivated: and if any Officer aforesaid shall neglect to give information as above directed, or shall in any respect connive at the illicit cultivation of the poppy, he shall be liable to the same penalty as prescribed for the case of Police and Abkarry Darogahs permitting or conniving at the same by Section XXXVI. Regulation XIII. 1816.

Native Officers required to assist in preventing the above offence.

Penalty in case of neglect of duty.

Third. The like penalty shall attach to any Putwaree who may neglect to inform the Canoongoe of the Pergunnah, or the Collector of the district, of the illicit cultivation of the poppy, whenever the same may come to his knowledge.

Similar penalty on Putwarees.

Fourth. Provided further, that in all cases wherein any person or persons may be convicted of illicit dealings in regard to Opium, if the forfeiture incurred shall not amount to the sum of five hundred Rupees, the person or persons aforesaid, shall each of them, forfeit to Government such further sum in addition to the prescribed forfeiture, as with the same may make the total penalty imposed amount to the said sum of Rupees five

Proviso in cases where the value of forfeited Opium may not amount to the full sum of the penalty incurred.

five hundred, the said penalty if not paid to be commutable to imprisonment for a period not exceeding six months.

Penalty on persons purchasing, bargaining for or encouraging the embezzlement of Opium, through the medium of cultivators of the poppy, or those employed in the provision of Opium, on account of Government.

Fifth. Any person or persons purchasing or receiving Opium from a cultivator or other person, who may have entered into engagements for the cultivation of the poppy, or who may be employed in the provision of Opium on account of Government, or bargaining for the purchase of Opium with such cultivator, or other person aforesaid, or in any way causing, encouraging, or advising such cultivator or person to embezzle or illegally dispose of any Opium, shall each and all of them forfeit to Government a sum equal to three times the penalty, prescribed in Section XLV. Regulation XIII. 1816, for the illicit purchase or possession of Opium, viz. the sum of twenty-four and forty-eight Rupees per seer on the quantity of Opium purchased, bargained for, or designed to be illicitly disposed of, as the case may be; and in cases wherein the said forfeiture shall not amount to the sum of one thousand and five hundred Rupees, the party or parties aforesaid shall each of them forfeit such further sum, as with the forfeiture aforesaid, shall make the total penalty imposed amount to Sicca Rupees one thousand and five hundred, the said fines if not paid shall be commutable to imprisonment, for a period not exceeding twelve months. In addition to the said penalties the offender shall be subject to imprisonment for the term prescribed in the aforesaid Section, for cases of illicit purchase or possession of Opium.

Proviso in cases where the Opium illegally purchased or bargained for shall not amount to the sum of one thousand and five hundred Rupees.

Native Officers of Government required to suppress the

Sixth. Native Officers of Government of every description, and especially all such Officers in the districts within which

which or in the neighbourhood of which Opium is manufactured on the public account, are hereby strictly enjoined to assist to the utmost of their power in the suppression of the illicit sale, purchase, importation, transportation or possession of Opium, by seizing the same, if authorized to do so, or if not vested with the power of seizure, by giving immediate information to the authority to which they may be respectively subject, of all instances of such illicit sale, purchase, importation, transportation, or possession of Opium, which may come to their knowledge; and any Native Officer aforesaid, who may connive at the illicit sale, purchase, importation, transportation, or possession of Opium, or who may neglect to give information in either of those cases, shall, on conviction before the Zillah or City Magistrate, (if the Native Officer be subordinate to them, or in other cases before the Collector of Land Revenue or Officer in charge of the Abkarry Mehal) be liable to a fine not exceeding eight Sicca Rupees for each and every seer so sold, purchased, imported, transported or possessed with his knowledge or connivance, commutable in the event of its not being paid to imprisonment for a period not exceeding six months. And if the quantity of Opium, so sold, purchased, imported, transported, or possessed cannot be ascertained, then and in that case the Officer offending as aforesaid, shall be liable to a fine not exceeding one thousand Rupees, commutable as aforesaid to imprisonment for a period not exceeding six months.

Illicit sale, purchase and possession of Opium by every means in their power.

Penalty on being convicted of connivance, or neglect of duty.

Seventh. Any person who may by force or threats prevent an Officer from effecting the seizure of any Opium, suspected

Punishment for forcibly resisting a public Officer employed in the seizure of contraband Opium.

suspected to be contraband, or who may forcibly resist such Officer in the execution of that duty, shall in addition to the penalty prescribed for cases of connivance, be liable on conviction before a Magistrate to a fine not exceeding one thousand Rupees. Parties so offending shall further be liable in the event of an affray, or other breach of the peace occurring in consequence of their resistance, to be punished under the general rules applicable to such cases.

Officers how to proceed in cases where they may apprehend opposition or resistance in making seizures of contraband Opium, &c.

Eighth. It is hereby further declared and enacted, that if any Officer authorized to attach Opium, shall have seized, or be about to seize any dispatch of Opium on information on suspicion of it's being contraband, or shall have effected, or be about to effect the attachment of the cattle, carriages or boats used in transporting such Opium, and shall have reason to apprehend forcible resistance, such Officer shall apply to the nearest Darogah to aid him in the execution of his duty; and all Darogahs or other Officers in charge of Thannahs or Chokies, to whom such application shall be made, or who may otherwise have reason to apprehend the occurrence of a breach of the peace, in consequence of a seizure of Opium, shall immediately afford the requisite aid to effect the seizure and preserve the peace.

Such seizures to be made at the sole risk and responsibility of the Officers seizing.

Ninth. Such seizures shall be made on the responsibility and at the risk of the Officers authorized to seize, and the Police Officers shall not be competent to exercise any discretion in regard to the propriety or otherwise of the seizure, which they may be called upon to support, but shall be careful to prevent any unnecessary violence.

XIX. *First.*

BENGAL SECRETARIAT LIBRARY

XIX. *First.* Whatever judicial powers are declared by Regulation XIII. of 1816, to be vested in the Collectors of Land Revenue or Officers in charge of the Abkarry Mehal, shall also belong to, and be discharged by the Opium Agents of Behar and Benares, and their respective Deputies, and the investigation of all suits, complaints, or informations, which may come before them for the recovery of any fine or penalty recoverable by Government, or by the informer, on account of the illicit cultivation, manufacture, sale, purchase, importation, transportation, or possession of Opium, shall be conducted under the same rules as are in force, for the guidance of the Collectors of Land Revenue or other Officers in charge of the Abkarry Mehal.

The Opium Agents of Behar and Benares empowered to exercise the Judicial powers vested in Collectors of Revenue by Regulation XIII. 1816.

Second. Provided however, that the Board of Customs, Salt and Opium, shall exercise the same control over the Opium Agents of Behar and Benares, and their respective Deputies (including Collectors of Land Revenue, when employed in the Opium Department) in the discharge of the duties intrusted to them under this Section, as the Board of Revenue are directed to exercise over the Collectors of Land Revenue, or Officers in charge of the Abkarry Mehal by Section XCVI. Regulation XIII. of 1816, and appeals from the judgment passed, or the acts done by the Opium Agents and their Deputies, shall be preferred to the Board of Customs, Salt and Opium, under the same rules and condition, as are prescribed by Section XCVI. Regulation XIII. of 1816, in the case of appeals to the Board of Revenue, from the judgment of Collectors of Land Revenue, or other Officers

Subject to the control of the Board of Customs, Salt and Opium.

in

in charge of the Abkarry Mehal.

Medical Officers when required by the Collectors and Agents, to regulate and class all confiscated Opium, under distinct heads.

XX. It shall be the duty of all Medical Officers, who may be called upon by the Collectors of Land Revenue or other Officers in charge of the Abkarry Mehal, or by the Opium Agents of Behar and Benares, and their respective Deputies, to report on the quality of any seized or confiscated Opium, to class the same under one of the four following heads, &c.

"Good Opium," by which is meant perfectly pure Opium.

"Marketable Opium," or Opium having one quarter of Foreign matter in it.

"Inferior Opium," or Opium having more than one half of foreign matter in it; or

"Useless Opium," by which is to be understood Opium so adulterated as not to be fit, for any of the ordinary purposes of the drug, medicinal, or otherwise.

Opium Agents not entitled to any share of rewards as heretofore for Opium seized and confiscated by their Officers or under their orders.

XXI. *First.* The Opium Agents and their Deputies shall not be entitled to any share of the rewards, heretofore received by them for Opium, which may have been attached, or confiscated by their respective order, or by their respective Officers, and, in further modification of the provisions of Regulation XIII. 1816, and XI. of 1818, relative to the rewards to be

paid

paid on the seizure and confiscation of contraband Opium, the following rules are enacted. Provided also, that it shall be competent to the Governor General in Council, by an order in Council, to discontinue the payment of the said rewards to any other Officers, being covenanted servants of the Company, and to modify the distribution thereof in such manner as may from time to time appear expedient.

Proviso as to the discontinuance of rewards to other Officers.

Second. In cases any attachment of illicit Opium shall be made on information, and the Opium shall be confiscated, the person or persons on whose information the same may have been seized, shall be entitled, provided the Opium is declared by the Civil Surgeon of the station to be "Good," to a reward calculated at the rate of one rupee eight annas per seer of 82 sicca weight on the Opium so confiscated; and the Native Officer or Officers of Government, who upon such information made the attachment, or were immediately concerned in making it, shall be entitled to a similar reward. If the seizure of such Opium shall have been made exclusively by the Officer or Officers of Government, and not upon information given by any other person, such Native Officer or Officers shall be entitled to a reward at the rate of three rupees per seer of 82 sicca weight in the Opium, which may have been seized and confiscated.

Specification of rewards to be paid to informers and Native Officers concerned in the seizure of "Good" Opium.

Third. If the Opium shall be declared marketable, the informer or informers shall be entitled to a reward of twelve annas per seer of 82 sicca weight on the quantity of Opium seized and confiscated, and the Native Officer or Officers

Rewards for the seizure of marketable Opium.

cers who seized it upon such information to a similar reward; in case the seizure of such Opium shall have been made exclusively by the Officer or Officers of Government, and not upon information, such Officer or Officers shall be entitled to a reward of one rupee eight annas per seer of 82 sicca weight on the quantity of Opium, which may have been seized and confiscated.

Rewards for the seizure of inferior Opium.

Fourth. If the Opium shall be pronounced "Inferior", the informer or informers shall receive a reward of ten annas per seer on the quantity confiscated, and the seizer or seizers of the Opium on such information shall be entitled to a reward at the same rate.

In the foregoing cases informers to receive a moiety and Native Officers a fourth of all fines and of the proceeds of Boats, Carriages, Cattle, &c. seized with contraband Opium.

Fifth. In either of the three foregoing cases, that is to say, whenever Opium shall be seized and confiscated, which is declared by the Medical Officer to be either good, marketable, or inferior, the persons on whose information the same may have been seized, shall receive one half of any fine which may be levied in consequence, and a moiety of the amount proceeds of the sale of any boat, carriage, or other vehicle, bullock, or other beast of burthen, box, chest, or other package, which may have been seized with it, and the Native Officer or Officers who seized it upon such information, to one fourth of the fine that may be levied, and a similar proportion of the amount proceeds of the confiscated article that may have accompanied it. If the seizure shall have been effected exclusively by the Officers of Government and not upon information, such Officer or Officers

But if the seizure is effected by Native Officers without the intervention of an informer, such Officers to receive three fourths of the fines and proceeds.

Officers shall receive, besides the rewards above assigned to them, three fourths of any fine levied in consequence of the seizure, and an equal proportion of the amount proceeds of the sale of the boat, carriage or other vehicle, bullock, or other beast of burthen, box, chest, or other package, which may have been seized and confiscated.

Sixth. No reward shall be payable on Opium declared to be useless which may be seized and confiscated.

No reward to be given for the seizure of useless Opium.

XXII. Whenever any party shall have been subjected to a fine under the provisions of this Regulation, it shall be competent to the Officer, by whom the fine may have been adjudged, in the event of its not being immediately discharged, not only to transmit the party fined to the Judge of the Dewannee Adawlut in order that he may be confined as already provided for, but likewise to have recourse to the attachment and sale of any personal property belonging to the party; and in the event of the amount of the fine not being liquidated by the sale of such personal property, recourse shall then be had to the sale of any real property which may belong to the party, under the rules for the sale of lands in liquidation of arrears of Revenue.

Collectors, &c. how to proceed to compel payment of fines under this Regulation.

XXIII *First.* It is hereby enacted, that it shall and may be lawful for the Opium Agents and Deputy Opium Agents, subject to the orders of the Board of Customs, Salt and Opium, to punish any of the Native Officers belonging to their establishments, as well as Muhtoes and other intermediate managers between the Officers of Government and the Opium ryots,

Opium Agents and their Deputies empowered to punish their Native Officers, &c. for neglect of duty or acts of oppression.

ryots, for any neglect or breach of duty, or any act of oppression which may not appear to be such as to require the interposition of the Magistrate or Criminal Courts, by a moderate fine, not exceeding in any case fifty rupees, and commutable, if not paid, into imprisonment in the Dewanny Jail for a period not exceeding one month.

And to recover balances due by Opium cultivators, &c. by a distraint and sale of Lands, with such powers as are vested in the Collectors of the Land Revenue.

Second. Provided also, that it shall and may be lawful for the Opium Agents, and Deputy Opium Agents, with the sanction of the said Board, to recover any balances or sums of money due by any Opium cultivator, or by any of the subordinate Officers of the factory, or by any Muhtoo, or intermediate manager, or by the surety of such cultivator, officer, or manager aforesaid, by the process of distraint and sale in the same manner, and with the same powers as Collectors of the Land Revenue are authorized to exercise in distraining, for the recovery of rents due by ryots, and other tenants in estates held khas.

SPECIAL RULES FOR CALCUTTA.

Unlicensed persons residing in Calcutta prohibited from having in their possession more than a pound of foreign Opium, unless under a Certificate from the Secretary to the Board of Customs, Salt and Opium.

XXIV. *First.* With a view of better securing the duty imposed on the importation of foreign Opium by sea, under the rules of Regulation XVI. of 1817, it is hereby enacted, that no person not being specially licensed by the Collector of Sea Customs in Calcutta, or by the Board of Customs, Salt and Opium, shall within the City of Calcutta, have in his possession more than one pound of Opium at a time, without a certificate from the Secretary to the said Board, evidencing that the same has been regularly imported by sea, and paid

the

the duty prescribed in such case, or that it has been purchased at one of the sales held on the public account in Calcutta, and any Opium exceeding one pound in quantity, which may be found without such a document to protect it, or which may disagree in any respect with the certificate in the possession of individuals not being licensed as aforesaid, shall be forfeited to Government, and shall be seized by or under the warrant of the said Collector, or any of the Magistrates of Calcutta, and the person or persons in whose possession it was found, shall forfeit to Government a sum equal to three times the amount of the duty imposed on the importation of the article by sea under the Regulation aforesaid.

Penalty in cases where more than a pound of foreign Opium is discovered without such a certificate to protect.

Second. The Certificates directed to be issued by this Regulation from the Office of the Board of Customs, Salt and Opium, shall contain, besides such other particulars as to that authority may appear fit, the name of the holder, the quantity of the drug, and purpose for which it is allowed to be retained, the number of the lot or lots as per sale book, if purchased at the Calcutta sales, with the number and mark on each of the chests, the cost of the Opium per chest, and the date of the sale; and in the event of it's having been imported by sea, the date and number of the Opium as entered in the Import Registry Book of the Custom-house, the name of the importer, and of the ship in which it was imported, and each certificate so issued shall be separately registered by the Secretary to the Board aforesaid, and shall bear the signature of that Officer in evidence of it's authority.

What such certificates are to contain, and by whom to be registered.

Third.

Rule to be observed by persons applying for permission to export by Sea Opium covered by a Certificate.

Third. In case it shall be required to export by sea any Opium so covered by a certificate, it shall be the duty of the exporter to surrender the certificate at the time of his making his export application to the Collector of Sea Customs, and any Opium passed or attempted to be passed for exportation by sea without a certificate, or which may not correspond with the certificate, shall be forfeited as aforesaid, and the person or persons in whose possession it may be found, shall be liable to the penalty prescribed in the first Clause of this Section, for the case of the illicit possession of Opium generally in Calcutta.

Penalty for an infringement of such rule.

Certificates to be in force for one year only.

But if produced before the expiration of the year may be renewed at the discretion of the Board.

Fourth. Certificates issued under the above rules shall be in force for one year only from their date, provided, however, that it shall be competent to the Board of Customs, Salt and Opium, to authorize their renewal for another year, and so on successively, as often as they may think proper, in the event of their being produced before the expiration of the period, for which they may respectively be current. Certificates which have exceeded the term of their currency, shall be considered as wholly null and void, and shall in no degree protect any Opium which they may accompany.

Unrenewed Certificates after the lapse of a year to be considered null and void.

A. D. 1824. REGULATION VIII.

A REGULATION *for rescinding Regulation IV. of* **1813.** *for determining the rates of Toll to be levied on Boats, Rafts, Timbers, and the like, passing through the Bhagaruttee, Jellinghee, Issamuttee, Matabhangah, and Choornee Rivers, and for providing for the better collection of the Toll, and for the secure navigation of the aforesaid and other navigable Rivers—Passed by the Governor General in Council on the 8th April* **1824**; *Corresponding with the 28th Cheyte* **1230** *Bengal Era; the 24th Cheyte* **1231** *Fussily; the 29th Cheyte* **1231** *Willaity; the 9th Cheyte* **1881** *Sumbut, and the 7th Shaban* **1239** *Higeree.*

WHEREAS the rules contained in Regulation IV. 1813, relative to the collection of Tolls on Boats passing through the Canal therein specified have been found to be defective; Preamble

fective; and Whereas from the extent of the changes which annually occur in the course of the Ganges, and in the streams which branch off from it, it appears to be necessary for the purpose of keeping open a direct channel of communication between the Hooghly and that River, that the measures heretofore pursued in regard to the Issamutty, Matabhangah, and Choornee, should be extended to the Bhagaruttee and Jellinghee Rivers, and that in all these streams further means should be adopted for removing the obstructions by which the passage through them is impeded; and Whereas an Officer has been specially appointed to conduct the operations requisite for the above purpose, and generally to consider and give effect to the measures necessary for facilitating the navigation of the Rivers abovementioned; and Whereas the arrangements in question have occasioned and must necessarily occasion a considerable annual expense, to defray which it is reasonable and proper that a moderate toll should be levied on all Boats, Timbers, and the like, passing thro' the said streams; and Whereas it is necessary to make provision for the collection of the Toll in such manner, as with reference to the varying circumstances of the Rivers in question, may, from time to time, appear best calculated to secure the public convenience; and Whereas it is expedient to vest the Officer aforesaid, and other Officers exercising similar functions with such powers and authority as may enable him promptly to remove all trees, timbers, sunken boats, or the like, by which the navigation of the rivers and streams aforesaid, and other navigable rivers and streams may be, or be likely to be impeded, to prevent all artificial impediments, and so to guard against all accidental causes of obstruction, as best to provide for the convenience and safety of all persons passing thro' the said streams, the following rules have been enacted to be in force from the date of their promulgation.

II. *First.*

II. *First.* Regulation IV. of 1813, is hereby rescinded.

Regulation IV. 1813, rescinded.

Second. Tolls at the rates specified in the Schedule No. 1, annexed to this Regulation, shall be levied on all boats, timbers, bamboos, rafts, floats, and the like, passing through or within the rivers mentioned in the preamble, at such stations or places as the Governor General may, by an order in Council, from time to time direct. The said tolls shall be levied by such Officer or Officers, as the Governor General in Council may appoint to collect the same; and the Officer or Officers so appointed shall act under the immediate control and direction of the Board of Revenue for the Lower Provinces.

Tolls at specified rates to be levied by an Officer of Government under the control of the Board of Revenue on all boats, timbers, rafts floats, &c. passing through the Bhagaruttee, Jellinghee, Issamutty, Matabhangah, and Choornee rivers.

III. The Collectors of tolls shall be assisted by such an establishment of Native Officers, as the Government may deem necessary, and in regard to the nomination, appointment, removal, or punishment of such Officers, the Collectors shall be guided by the provisions of the existing Regulations which define the authority to be exercised in these matters by the Collectors of the Land Revenue, and all rules contained in the existing Regulations applicable to Officers entrusted with the charge of public money or records, shall be held to be applicable to the subordinate Officers on the Collector's establishment who may be so entrusted.

Collectors of tolls to be assisted by establishments of Native Officers, and to exercise powers similar to the Collectors of Land Revenue in the appointment, removal and punishment of their subordinate Officers.

IV. The said tolls shall be levied on all boats, whether entering into, or returning by the aforesaid rivers, and whether freighted with articles to be imported or exported.

Tolls to be levied on all boats entering or returning by the rivers specified, and whether laden with imported or exported goods.

V. In order to obviate the delay which must be created, if boats liable to tolls, varying according to their burthen, were detained, for the purpose of minutely ascertaining their exact capacity

Rule to be observed in determining the tonnage of boats, &c. on which the authorized tolls are to be levied.

capacity, the following rule for determining the tonnage, according to which the authorized tolls are to be levied, has been prescribed and is henceforward to be observed.

Boats not exceeding 50 maunds to be rated as 25 maunds burthen and pay toll accordingly.

First. Boats of a burthen, not exceeding 50 maunds, shall be rated as of 25 maunds burthen, and shall pay the toll appointed for boats of 25 maunds tonnage.

Boats above 50 and not exceeding 75 maunds to be rated at 50 and pay the prescribed toll.

Secondly. Boats of a burthen above 50 maunds, and not exceeding 75 maunds shall be rated as of 50 Maunds burthen, and shall pay the toll appointed for boats of 50 maunds.

Boats above 75 and not exceeding 100 maunds to pay toll for 75 maunds and so on progressively.

On the Tonnage exceeding 50 maunds, the allowance to extend to 50 maunds and on boats of above 1,000 maunds, the toll on 100 maunds to be relinquished.

Thirdly. Boats of a burthen above 75 maunds, and not exceeding 100 maunds, shall be rated as of 75 maunds burthen, and pay the toll appointed for boats of 75 maunds, and so on until the tonnage shall exceed 500 maunds, when the allowance shall extend to 50 maunds, and on boats exceeding 1000 maunds in burthen, the toll chargeable on any portion of 100 maunds shall be relinquished in the manner shewn in the Schedule No. 2, annexed to this Regulation.

No fleet of boats or rafts to float at one time more than twenty timbers through any of the rivers specifically named.

VI. *First.* No fleet of boats or rafts carrying or floating wood, or timbers, exceeding twenty in number, shall pass or enter at one and the same time into, through, or within the aforesaid rivers.

Nor more than twelve timbers by a single boat or raft.

Nor more than six timbers between the 1st December and 1st July.

Second. No boat or raft carrying or floating a greater number than twelve timbers, shall at any time be permitted to pass into or through the aforesaid rivers; Provided also that it shall not be lawful for any boat or raft carrying or floating more than six timbers to enter the aforesaid rivers, between the 1st of December and the 1st of July.

Third.

Third. For every timber which shall be floated, or carried into, or through the aforesaid rivers, in violation of any of the rules or restrictions herein appointed, the owner thereof shall forfeit to the Government the sum of ten rupees each timber, besides being subjected to the payment of the prescribed toll on the same, and it shall and may be lawful for the Collector to detain and distrain such a number of boats, timbers, rafts, bamboos, floats, and the like, or such a portion of their freight until the sum due, whether on account of toll or penalty, or both, shall have been liquidated, as he (the Collector) shall or may judge sufficient to defray the amount tolls or penalties demandable; and further the Collector shall require the person in charge of the said boats, timbers, rafts, bamboos, and floats, and the like, to make arrangements for the transit of the same in conformity with the rules and the restrictions contained in this Regulation, and shall detain them for that purpose, until those arrangements will have been made.

Penalty for infringing any of the above rules.

Collector empowered in certain cases to detain boats, rafts, &c. until the toll or penalty demandable thereon shall have been liquidated.

Fourth. Whenever any boats, timbers, rafts, bamboos, and floats, and the like, are detained for any of the reasons above stated, the Collector shall without delay make a full report of the circumstance to the Board of Revenue, and shall immediately publish a proclamation, appointing a day for the sale of the articles liable to sale, not being less than fifteen days, from the date on which the proclamation may be promulgated: but no sale shall be held, until the authority and sanction of the Board of Revenue for the same shall have been previously obtained, and if it be in any case necessary to postpone the day of sale, the Collector is authorized to do so, provided that not less than fifteen days notice of the time appointed shall invariably be given.

Collector in such cases to report to the Board of Revenue and notify the sale of the articles by proclamation after an interval of 15 days.

No sale to take place until authorized by the Board of Revenue.

VII. If any person shall attempt to pass free of toll any boat, raft,

Penalty for attempting to pass boats &c. free of toll after

having been boarded by the Collector's toll boat.

raft, timber, bamboo, float or the like, after having been boarded by the Collector's toll or chokey boat, such boat, timber, raft, bamboo, float, and the like shall be liable to detention, until a penalty of ten times the amount of the toll leviable shall have been paid, or shall have been levied by the summary process provided for in the preceding Clause.

Rules for defining the duties and powers to be exercised by the Supervisor of rivers.

VIII. *First.* An Officer having been appointed by Government, under the designation of Supervisor, to superintend the operations and works necessary to be undertaken and executed for the prevention and removal of all obstructions, by which the free and safe navigation of the rivers specified in the preamble of this Regulation are or may be impeded, the following rules are enacted for the purpose of defining the duties and powers of the said Supervisor, and the same rules shall apply to any other Officer or Officers who may be appointed to perform similar duties on any of the said rivers, or on any other navigable rivers, or streams, within the provinces subordinate to this Presidency.

Proviso for investing Collectors with similar powers.

Provided also, that it shall be competent to the Governor General in Council, by an order in Council, to vest the supervision of the said rivers, or such portion of them, as may seem fit in any of the Collectors herein before mentioned, or in any other Officer, whom he may judge it expedient to appoint.

Supervisor to act under orders from the Board of Revenue for the Lower Provinces, unless otherwise directed by Government.

Second. The Supervisor shall ordinarily act under the orders and directions of the Board of Revenue for the Lower Provinces, but it shall be competent to the Governor General in Council, by an order in Council, to vest the control over him in any other Board, Committee, Officer or Officers, as may from time to time appear to be expedient.

And empowered to cut down and remove trees, sunken boats,

Third. The Supervisor shall be competent, under the provisions

sions hereafter detailed, to cut down and remove any tree or trees, which may have fallen or be likely to fall into the said rivers, to remove sunken boats, or rafts of timber or of bamboos, and other nuisances, or obstructions to navigation of whatever denomination, together with all bandells or other contrivances for fishing, which may tend to obstruct or hinder the navigation of the same, whenever he shall be fully satisfied, after due local enquiry, that the continuance of such tree or trees, sunken boats, or rafts of timber, or bamboos, or bandells, or the like are or are likely to be seriously prejudicial to the free and safe navigation of the aforesaid rivers.

rafts of timber and other obstructions to the navigation of the rivers.

Fourth. All trees, or other things, which shall have fallen, or may hereafter fall into any of the rivers or streams, mentioned in the preamble of this Regulation, or into any other navigable river, or stream, so as to endanger or materially impede the navigation thereof, shall be removed as soon as possible by the Supervisor or other Officer empowered by Government in that behalf: and the Supervisor, or other Officer aforesaid is hereby authorized to hew, split, demolish, destroy, or otherwise dispose of all such trees, or other things in such manner as the Board of Revenue, or other controlling authority may direct.

How such trees, &c. are to be disposed of.

Fifth. In all other cases where it may appear to be necessary to remove any tree, or other obstruction of the nature specified in the Second Clause of this Section, excepting as hereinafter excepted, it shall be the duty of the Supervisor or other Officer aforesaid, in the first instance, to endeavour to ascertain the owner of the tree, or other thing, which he may propose to remove as aforesaid; and to cause notice to be served on him, requiring the removal of the same within a reasonable period to be specified in the notice. If the owner aforesaid shall be absent

Cases in which before the removal of trees, &c. the Supervisor is to serve the proprietor with a notice, or to require the removal by a notification.

sent or unknown, a notification to the above effect shall be stuck in some conspicuous place in the nearest village.

Owners neglecting to remove trees, &c. after due notice given, the same to be removed and disposed of by the Supervisor.

Sixth. If, after notice has been given as aforesaid, the owner of the tree, or other thing required to be removed shall not remove the same, within the period fixed by the Supervisor, it shall be competent to that Officer to cause it's removal at the public expence, or in cases in which such an arrangement shall appear advisable, to dispose of it by public sale, subject to the condition of it's being removed, and with such further stipulations as may be deemed proper.

Supervisor may remove trees, &c. in cases of emergency without giving previous notice.

Seventh. In cases of emergency, wherein it may appear to the Supervisor or other Officer aforesaid, that any delay in removing the tree, or other thing to be removed, would be attended with serious risk or inconvenience, it shall be competent to him to cause the same to be forthwith removed without any previous notice as above directed.—Provided, however, that in such cases if the thing to be removed be other than a tree actually fallen into the stream, the Supervisor or other Officer aforesaid, shall as soon as possible, cause intimation to be given to the owner, or (he being absent or unknown) a notification to be stuck up in the nearest village; and he shall at the same time, make an immediate and full report of the case to the Board of Revenue, or other controlling authority.

Proviso as to the mode of proceeding in such occasions.

Provision under which buildings, trees &c. contiguous to rivers may be purchased on account of Government.

Eighth. Provided further that whenever it may appear necessary for the safety and convenience of the community, that any buildings, trees, or other property on, or in the vicinity of a navigable river, or stream, tho' not likely to fall into the stream, should be removed or appropriated to the public use, it shall be competent to the Governor General in Council to direct the

the same to be taken and purchased on account of Government, under the rules contained in Regulation I. 1824.

The proceeds of boats, trees, &c. sold under Clause IV. Section VIII. to be paid to the owner.

IX. *First.* Whenever any tree, boat, timber, or other thing obstructing, or likely to obstruct the navigation of any of the rivers, or streams, specified in the preamble of this Regulation, or of any other navigable river, or stream, may be sold subject to the condition of it's being removed, under the provision contained in Clause IV. Section VIII. of this Regulation, the net produce of the same shall be paid to the owner.

Or the owner may receive such boats, trees, &c. on paying salvage to the Supervisor within such period as the Board of Revenue may fix.

Second. When any of the things aforesaid shall be removed, or recovered by, or under the orders of the Supervisor, or other Officer duly empowered in that behalf, under the provisions of the said Clause and Section, then if the owner shall pay to the Supervisor, or Officer aforesaid, within a period to be fixed by the Board of Revenue, or other controlling authority, the expence incurred in the removal, or recovery thereof, with such a charge for salvage as the Board, or other authority aforesaid may adjudge, the same shall be given up to the owner or his authorized agent. Provided also, that whenever, after due notice for such a period as the Board of Revenue may have directed, no person shall, within the period appointed, tender reimbursement of the charge incurred in the recovery of property rescued, together with the amount of salvage which the Board of Revenue may adjudge; the Supervisor shall be authorized to sell such property at public sale, and to defray out of the proceeds the expence incurred in the recovery of the same, with the salvage adjudged as aforesaid: The surplus to be deposited for the benefit of the owner in such Treasury as the Board of Revenue may direct.

Proviso empowering the Supervisor to sell the property in case reimbursement be not made.

X.

All bandells, or contrivances for fishing tending to obstruct the free navigation of rivers prohibited.

X. No bandells, or contrivances for fishing, or for any other purposes, which may tend to obstruct the free navigation of the rivers and streams referred to in this Regulation, or other navigable rivers and streams, for the supervision of which the Governor General in Council may deem it necessary to provide, shall be allowed or permitted.

Supervisor how to proceed on the removal of, or prohibiting the fixing of bandells, &c.

Whenever the Supervisor, with the approval of the Board of Revenue, or other controlling authority, shall have removed any bandell or other contrivance for fishing, which may have been fixed, or sunk at any place in the said rivers, to the obstruction of navigation, or shall have prohibited the fixing, or sinking of any obstruction, within any specified limits, then, if any person shall replace the bandells, or other contrivances removed as aforesaid, or shall sink, or fix any such in opposition to the prohibition of the Supervisor, the bandells or other contrivances for fishing so replaced, or fixed, or sunk, shall be destroyed, and the party offending shall be liable to such punishment, not exceeding a fine of fifty rupees, or, in default of payment, imprisonment without irons in the Debtor's Jail for one month, as the Magistrate of the district may judge adequate to the offence;

Punishment in case of opposition to the Supervisor's orders.

Provided however, that if the offender shall have used violence, or been guilty of any breach of the peace, he shall on conviction, besides any further punishment to which he may be subject, under the general Laws and Regulations, be liable to imprisonment in the Criminal Jail, with hard labor for a period not exceeding three months, and shall be required, at the discretion of the Magistrate, to furnish adequate security for keeping the peace.

Further punishment in cases where offenders have committed violence or have been guilty of breaking the peace.

Punishment to which persons are declared liable for opposing or resisting the Collector or Supervisor, in preventing them or any of their Officers from fulfilling the duties assigned to them.

XI. *First.* Any person who may by force or threats prevent the Collector, Supervisor, or any of his or their Officers from fulfilling the duties assigned to them by this Regulation, or who may forcibly resist them in the execution of those duties, or who may

advise

advise or encourage such resistance, shall be liable on conviction before the Foujdaree Court of the District, or City, to the penalties prescribed, for the offence of resisting the process of a Magistrate. Parties so offending shall further be liable in the event of an affray, or other breach of the peace occurring in consequence of their resistance, to be punished under the general rules applicable to such cases.

Collector or Supervisor how to proceed in cases when forcible resistance is apprehended.

Second. If the Collector, Supervisor, or other Officer aforesaid shall in any case have reason to apprehend forcible resistance, he shall apply to the nearest Darogah to aid him in the execution of his duty, and all Darogahs, or other Officers in charge of thannahs or chokees, shall on such requisition being made, or it's appearing to be otherwise necessary, immediately afford the requisite assistance, under pain of dismissal from office, and such fine not exceeding two hundred Rupees, as the Magistrate may adjudge commutable, if not paid to imprisonment in the Dewanee Jail, for a period not exceeding three months. Provided also; that if any Zemindar, Talookdar or other proprietor, farmer of land, or the Naib Gomashtah, or other local Agent, if such proprietor or farmer shall wilfully permit any one to resist the Collector, Suspervisor, or other Officers aforesaid, within the village or lands occupied or managed by him, such Zemindar or other person aforesaid shall be liable on conviction before the Magistrate, to a fine not exceeding two hundred rupees, commutable as aforesaid.

Proviso as to the punishment to which proprietors and farmers of land are liable for conniving at resistance to the Collector, &c.

Collector or Supervisor, &c. empowered to seize and deliver over to the Police Officers all offenders described in the two preceding Sections.

XII. The Collector, Supervisor, and their Native Officers, duly authorized by him, shall be authorized to arrest and deliver over to the nearest Police Darogah, or other Police Officer authorized to receive criminal complaints, any person, or persons guilty of any of the offences stated in the two preceding Sections

tions of this Regulation, for the purpose of their being forwarded to the Magistrate; and all Police Officers aforesaid are hereby required, subject to the provisions hereinafter specified, to receive and safely to forward to the Magistrate of the jurisdiction, within 24 hours, all offenders so delivered over. Provided always that the Supervisor, or his Officers shall give, at the same time, a written requisition to that effect, duly attested and dated, specifying the name of the offender, the nature of the offence, and engaging that a full report shall be transmitted to the Magistrate, and that all other necessary measures for the conduct of the prosecution shall be taken within ten days, from the date on which the offender or offenders shall have been apprehended. Provided also, that in such cases, if the party accused shall tender sufficient bail for appearance before the Magistrate, and shall not have been guilty of any offence which by the general Regulations is not bailable, the Darogah, or other Officer aforesaid, shall accept the bail and release the party.

Supervisor, &c. to give a written statement descriptive of the offence and the offender, and to engage to furnish the Magistrate with a full report on the case.

Proviso for admitting the accused to bail if the offence charged be of a bailable nature.

XIII. No person shall be detained in custody by a Magistrate under the provisions of Section XII. of this Regulation, beyond the period of ten days, if during that period, the Supervisor shall not have preferred his complaint, and pursued the necessary measures for the furtherance of the prosecution in the prescribed manner.

Magistrates not to detain persons in custody beyond ten days, if the Supervisor has not previously followed up his complaint in the prescribed manner.

XIV. Any Individual who may consider himself aggrieved, or injured by any order of the Board, or by any act of the Supervisor, or by his people, in the execution of their public duty under the authority vested in them by this Regulation, shall be at liberty to institute a suit against one, or either, or all of them in the Dewanny Adawlut of the City, or District, in which the imputed injury shall have occurred, and in all such cases the Judge of the City, or District, shall forward

Persons conceiving themselves aggrieved by any order of the Board, or by any act of the Supervisor, &c. allowed the option of instituting a suit in the Dewanny Adawlut against one or all of the authorities.

Judge how to proceed in such cases.

ward such petition, or plaint to the Board of Revenue, or other controlling authority, who, together with the Zillah and City Judges, are hereby required in the conduct of such cases to conform to the rules and provisions contained in Regulation II. of 1814. Provided, however, that, if the Supervisor or other Officer shall not have exceeded the power and license vested in him by this Regulation, no suit or plea shall be entertained by any of the Courts of Justice, on the ground that the removal of any tree, boat, timber, raft, bamboo, float, or other thing of the description specified in Clause Second Section VIII. of this Regulation, was not necessary for the furtherance of the free navigation of the rivers herein mentioned, save and except in cases wherein valuable trees may have been cut down; and it shall be proved after sufficient experience, that there was not any reasonable probability that the land on which they grew would be carried into the river, within the period of one year from the date of their being cut. Provided also, that, if in any case the Collector, Supervisor, or other Officer aforesaid, shall have tendered to the Plaintiff an adequate indemnification, the sum so tendered shall be received by the Court for the plaintiff, who shall be nonsuited with costs.

Proviso against the receipt of suits where the Supervisor, &c. may not have exceeded his authority.

Further proviso in cases where valuable trees are cut down without reasonable cause.

Plaintiff to be nonsuited with costs, if it be proved that the Collector or Supervisor has tendered adequate indemnification.

XV. The Supervisor shall be entitled to direct the Vakeel of the Government to conduct all criminal prosecutions instituted by him, under the provisions of this Regulation, and to defend all civil actions authorized to be defended by the Board of Revenue or other controlling authority, and the Collectors of Revenue are hereby authorized to supply the Vakeel of Government on application from the Supervisor with the stamp paper, which may be required for the purposes aforesaid.

The Supervisor authorized to employ the Vakeel of Government in the conduct of all criminal prosecutions and civil actions instituted under the provisions of this Regulation.

Stamp paper in such cases to be supplied on the Supervisor's application.

SCHEDULE

SCHEDULE.

No. 1.

SCHEDULE of Tolls chargeable on all Boats, Timbers, Bamboos, Rafts, and Floats, and the like, passing into or through the Rivers and Streams, specified in the preceding Regulation.

1st.	Pinnaces of Ten Oars, and under that number, ...	5 Rupees each.
	Ditto Ditto, exceeding Ten Oars, ...	8 Ditto ditto.
2d.	Budgerows of Ten Oars, and under that number, ...	3 Ditto ditto.
	Ditto Ditto, exceeding Ten Oars, ...	6 Ditto ditto.
3d.	Bauleahs, Cutters, and Boats, for personal accommodation, not being of the description above specifically defined, and Pulwars, Paunsways, and Baggage Boats, ...	4 Annas per Oar.
4th.	Empty Boats, and Boats laden with Bricks, Tiles, or other Earthen substance baked, or otherwise, ...	2 Annas per 100 Maunds Tonnage.
5th.	Boats laden with Quick-lime, (Chunam) Straw, Fire-wood, Gran-sticks, thatching Grass, or such like,	8 Annas per 100 Maunds Tonnage.
6th.	Boats laden with Grain, Pulse, Seed, or Vegetables, of whatever description, and Indigo Seed, ...	12 Annas per 100 Maunds Tonnage.
7th.	Boats of burthen, freighted with Timbers and Bamboos, or with any Article, not included in the above enumeration, ...	One Rupee per 100 Maunds Tonnage.
8th.	Timbers, whether Chowkars, or Dhokars, if floated on Rafts, or otherwise, not being on Boats, ...	8 Annas each Timber.
	Unwrought Timbers, called Ghole, if floated as above, ...	5 Annas each Timber.
	Rafts floating 200 Bamboos, or less, ...	8 Annas.
	Ditto ditto, more than 200, but not more than 400, ...	12 Annas.
	Ditto ditto, more than 400, but not more than 1,000, ...	5 Rupees.
	Ditto ditto, more than 1,000, ...	10 Rupees.

SCHEDULE.

No. 2.

Table for adjustment of Tonnage and Rates of Tolls.

Tonnage or measurement of the Boat in maunds not exceeding	No. of Maunds upon which the Toll is leviable.	TOLLS. At One Rupee per 100 Maunds.			At Twelve Annas per 100 Maunds.			At Eight Annas per 100 Maunds.			At Two Annas per 100 Maunds.		
		Sa. Rs.	A.	P.	Sa. Rs.	A.	P.	Sa. Rs.	A.	P.	Sa. Rs.	A.	P.
50.	25.	,,	4	0	,,	3	0	,,	2	0	,,	0	6
75.	50.	,,	8	0	,,	6	0	,,	4	0	,,	1	0
100.	75.	,,	12	0	,,	9	0	,,	6	0	,,	1	6
125.	100.	1	0	0	,,	12	0	,,	8	0	,,	2	0
150.	125.	1	4	0	,,	15	0	,,	10	0	,,	2	6
175.	150.	1	8	0	1	2	0	,,	12	0	,,	3	0
200.	175.	1	12	0	1	5	0	,,	14	0	,,	3	6
225.	200.	2	0	0	1	8	0	1	0	0	,,	4	0
250.	225.	2	4	0	1	11	0	1	2	0	,,	4	6
275.	250.	2	8	0	1	14	0	1	4	0	,,	5	0
300.	275.	2	12	0	2	1	0	1	6	0	,,	5	6
325.	300.	3	0	0	2	4	0	1	8	0	,,	6	0
350.	325.	3	4	0	2	7	0	1	10	0	,,	6	6
375.	350.	3	8	0	2	10	0	1	12	0	,,	7	0
400.	375.	3	12	0	2	13	0	1	14	0	,,	7	6
425.	400.	4	0	0	3	0	0	2	0	0	,,	8	0
450.	425.	4	4	0	3	3	0	2	2	0	,,	8	6
475.	450.	4	8	0	3	6	0	2	4	0	,,	9	0
500.	475.	4	12	0	3	9	0	2	6	0	,,	9	6
550.	500.	5	0	0	3	12	0	2	8	0	,,	10	0
600.	550.	5	8	0	4	2	0	2	12	0	,,	11	0
650.	600.	6	0	0	4	8	0	3	0	0	,,	12	0
700.	650.	6	8	0	4	14	0	3	4	0	,,	13	0
750.	700.	7	0	0	5	4	0	3	8	0	,,	14	0
800.	750.	7	8	0	5	10	0	3	12	0	,,	15	0
850.	800.	8	0	0	6	0	0	4	0	0	1	0	0
900.	850.	8	8	0	6	6	0	4	4	0	1	1	0
950.	900.	9	0	0	6	12	0	4	8	0	1	2	0
1,000.	950.	9	8	0	7	2	0	4	12	0	1	3	0
1,100.	1,000.	10	0	0	7	8	0	5	0	0	1	4	0
1,200.	1,100.	11	0	0	8	4	0	5	8	0	1	6	0
1,300.	1,200.	12	0	0	9	0	0	6	0	0	1	8	0
1,400.	1,300.	13	0	0	9	12	0	6	8	0	1	10	0
1,500.	1,400.	14	0	0	10	8	0	7	0	0	1	12	0
1,600.	1,500.	15	0	0	11	4	0	7	8	0	1	14	0
1,700.	1,600.	16	0	0	12	0	0	8	0	0	2	0	0
1,800.	1,700.	17	0	0	12	12	0	8	8	0	2	2	0
1.900.	1,800.	18	0	0	13	8	0	9	0	0	2	4	0
2,000.	1,900.	19	0	0	14	4	0	9	8	0	2	6	0

A. D. 1824. REGULATION IX.

A REGULATION *to extend, with certain exceptions and conditions, the existing Settlement in the Conquered Provinces and in Bundelcund, for a further period of five years;—Passed by the Governor General in Council on the* **1st** *July* **1824,** *corresponding with the* **19th** *Assar* **1231** *Bengal era; the* **20th** *Assar* **1231** *Fussily; the* **20th** *Assar* **1231** *Willaity; the* **5th** *Assar* **1881** *Sumbut; and the* **3d** *Zekaad* **1239** *Higeree.*

Preamble.

WHEREAS the existing Settlement in the Conquered Provinces and in Bundelcund will expire with the ensuing Fuslee year 1232: and Whereas, with certain exceptions, it appears to be expedient to extend the said settlement for a further term, in cases in which the settlement has been formed with Zemindars or other persons recorded as proprietors or possessors of a permanent

manent interest in the Mehal for which they have engaged, or as the representatives of such persons: and Whereas it appears also to be desirable to provide for the continuance of the engagements of Zemindars and other persons as aforesaid, subsequently to the expiration of the period, specifically fixed for the same, until a careful revision of the settlement can be completed: and Whereas it is desirable to make further provision for securing the improvement of the Country; the following rules have been enacted, to be in force throughout the British territories immediately subject to the Government of the Presidency of Fort William, from the date of their promulgation.

The existing settlement in the Conquered Provinces and in Bundelcund extended in certain cases for a further period of five years.

II. *First.* The existing settlement in the Conquered Provinces and in Bundelcund, (with the exceptions and subject to the provisions hereinafter stated) shall be extended to a further period of five years, viz. for the years 1233 to 1237 Fuslee inclusive, in cases in which it may have been concluded with Zemindars, Lumberdars, or other persons recorded as the proprietors or possessors of a permanent interest in the Mehal for which they may have engaged, or as the representatives of such persons.

Zemindars declining to continue their engagements for such period to notify the same to the Revenue authorities on or before the 15th of October next.

Or failing to do so declared responsible for the payment of the present jumma during the ensuing five years.

Second. If any Zemindars and other persons aforesaid shall be unwilling to continue their engagements for a further period of five years on the terms specified in this Regulation, they shall notify the same to the Collector, or other Officer exercising the powers of the Collector, to whom they may be subject, on or before the 15th October next. And all Zemindars and other persons aforesaid who shall not make a Notification to the effect and within the period abovementioned, shall be held and are hereby declared to be responsible for the payment of the same Revenue for each of the five years subsequent

quent to the settlement now in force, viz. for the years 1233 to 1237 inclusive, as may be specified in their engagements for the year 1232, Fuslee. And in such cases no alteration shall be made in the jumma demandable by Government on account of the Mehals held by such persons (excepting as hereinafter excepted) until the expiration of the said period of five years.

The jumma in such cases to remain unaltered.

Third. It shall be competent to Collectors and other Officers exercising the powers of Collectors, subject to the orders of the Board of Revenue, to which they may be subordinate, to exclude from the operation of the above rule, any Mehal or Mehals, of which a revised settlement may have been made or be about to be made under the rules of Regulation VII. 1822, or in regard to which there may, in the judgment of these authorities, exist any special reasons for effecting an early re-settlement of the same; and in the case of Mehals of the last description, it shall be competent to the Collectors, or other Officers aforesaid, to make an immediate re-settlement of the same on the expiration of the existing leases, or to grant to the persons under engagements renewed leases for such further term (not exceeding five years) as the Board may direct. Provided however, that in all cases, in which it may be determined to adopt special measures as above, in regard to any Mehal or Mehals, the Collector or other Officer aforesaid shall give notice of such determination in writing to the person under engagements for the same on or before the 1st March 1825. A Perwannah delivered to, or left at the usual residence of the Malgoozar, or a notification stuck up, under orders of the Collector, in any conspicuous place within the Mehal, shall be held to be sufficient notice for the above purpose.

Collectors empowered to exclude certain Mehals from the operation of the above rule should any special reasons exist.

And declared competent to form a re-settlement of such Mehals or renew the leases of them for a further period.

Proviso as to notice to be given of such determination by Collectors.

Fourth.

The above rules not to affect engagements already entered into.

Fourth. The above rules shall not be held to affect the terms of any engagements, which may have been specifically entered into on account of any year or years subsequent to the general settlement now in force.

Zemindars, &c. whose engagements may be continued allowed after the expiration of such leases to hold their lands at the same annual jumma until the formation of a revised settlement.

Fifth. Zemindars and other persons as aforesaid whose engagements shall be continued for a further period of five years as above provided, as well as all other persons who may hereafter enter into engagements as proprietors, or as the representatives of proprietors, shall, after the expiration of the leases so extended or granted, hold the Mehals for which they may have engaged or may hereafter engage, and shall continue to be subject to the payment of the same annual jumma as may be chargeable on account of the last year of their lease, until the Collector, or other Officer exercising the powers of Collector, shall effect a detailed revision of the settlement in the mode prescribed by Regulation VII. 1822, or shall be otherwise specially authorized by Government to make a fresh assessment. Provided also that no Zemindar or other Malgoozar as aforesaid shall be liable to pay on account of any year a higher jumma than that payable under the above rule, unless he shall have been apprized of the Board's approval of the new assessment on or before the month of Jeth preceding: Nor shall any such Zemindar, or other Malgoozar be ousted from the management of any Mehal for which he may be under engagements, without such notice, except by due course of Law, on a decision in favor of the title of another party claiming the property of the same.

Proviso against the payment of a higher jumma by Zemindars unless timely apprized.

Such persons declared not liable to be ousted from the management of their lands without notice given except by due course of Law.

Estates at present let in farm to be resettled on the expiration of the existing leases, and Ze-

III. With respect to Estates which are at present let to farm, a settlement thereof shall be made on the expiration of the existing

existing leases, for such a period as the Governor General in Council may direct: A preference shall be given to the Zemindars, or other persons possessing a permanent property in the Mehals, if willing to engage for the payment of the public Revenue on reasonable terms. Provided also, that in cases wherein such Mehals may be let in farm, the term of the lease granted to the farmers shall not, excepting as hereinafter excepted, exceed twelve years. The above rules shall likewise be applicable to Estates now held Khas; So in any case wherein the Zemindars and other proprietors may refuse to continue their existing engagements on equitable terms, it shall be competent to the Revenue authorities to let the lands in farm for such period (with the restriction herein specified) as the Governor General in Council shall appoint, or to assume the direct management of them, and to retain them under Khas management during the period aforesaid, or such shorter period as may be judged proper. Provided also that in cases wherein it shall appear that the Zemindars have wilfully reduced the cultivation of their lands, or otherwise deteriorated the Mehal under their engagements in their occupancy, it shall be competent to the Revenue authorities to exclude persons so offending, and to let the lands in farm for a period of fifteen years: Leases for a like period may also be granted to Zemindars and farmers in cases where from special local circumstances, the measure may appear necessary with a view to the reclaiming of waste, the construction of works requisite for the extension of cultivation or otherwise for the improvement of the Country.

mindars possessing a permanent property in the Mehals to have a preference.

Proviso limiting such leases to twelve years.

The above rules declared applicable to Estates held Khas.

Rule of proceeding in cases where Zemindars, &c. may refuse to maintain their engagements.

Proviso for the exclusion of persons who may have wilfully deteriorated their lands, &c.

In such cases and in others where special circumstances require it, leases may be granted for fifteen years.

IV. The rules contained in the Third and following Sections of Regulation VII. 1822, with the modifications above provided for, and the necessary alteration of dates and periods, are, and shall be

Rules contained in the Third and following Sections of Regulation VII, 1822, with the foregoing modifications declared equally ap-

plicable to the Conquered Provinces and to Bundelcund.

Proviso limiting in certain cases the application of part of Clause 3d Section IX. of that Regulation.

be held to be equally applicable to the Conquered Provinces and to Bundelcund as to the Ceded Provinces; Provided also that such part of Clause Third Section IX. of that Regulation as prescribes that engagements taken in the manner specified in that Clause, shall be restricted to the term of five years, shall not be held applicable to leases granted to farmers in the cases specified in the foregoing Section, and that it shall be competent to the Board of Revenue with the sanction of Government, to grant leases, either to proprietors or farmers for any period not exceeding fifteen years, whenever special circumstances shall, in their judgment, render it expedient to do so, as well in the Ceded as in the Conquered Provinces.

A. D. 1824. REGULATION X.

A REGULATION *for modifying and amending the Rules at present in force, in regard to the pardon of Persons charged with or suspected of Criminal Offences;—Passed by the Governor General in Council on the* 8*th July* 1824, *corresponding with the* 26*th Assar* 1231 *Bengal era; the* 27*th Assar* 1231 *Fusly; the* 27*th Assar* 1231 *Willaity; the* 12*th Assar* 1881 *Sumbut, and the* 10*th Zekaad* 1239 *Higeree.*

WHEREAS there appears reason to believe that the administration of criminal justice will be improved by extending the powers of the Magistrates, Joint Magistrates, and Superintendents of Police, in regard to the offer of conditional pardons to accomplices, or accessaries with the view of discovering the principal offenders; of prosecuting criminals

Preamble.

minals to conviction, and of recovering stolen property; the following Rules have been enacted to be in force from the date of their promulgation throughout the provinces subject to the Presidency of Fort William.

Rules rescinded.

II. Section V. Regulation XIV. 1810, and Section IX. Regulation I. 1811, are hereby rescinded.

Magistrates and Joint Magistrates empowered to tender a pardon to accomplices in certain crimes.

III. *First.* In cases of murder, gang robbery, highway robbery, murder by Thugs, coining and forgery, as well as in cases of burglary and theft, attended with circumstances of aggravation, the Zillah and City Magistrates, and Joint Magistrates are hereby empowered, without previous reference to any other authority, to tender a pardon to one or more persons, (not being principals) supposed to have been directly or indirectly concerned in or privy to the offence, on condition of their making a full, true and fair disclosure of the whole of the circumstances within their knowledge relative to the crime committed, and the persons concerned in the perpetration thereof, or of their pointing out (in cases of robbery, burglary, and theft) the mode in which the stolen property may have been disposed of.

Such persons to be examined without oath.

Second. Persons to whom pardons may be tendered under the provisions contained in the preceding Clause, shall be examined without oath.

Motives for tendering pardon to be recorded, and a copy of the proceeding to be sent to the Superintendent of Police.

Third. In any case in which a Magistrate or Joint Magistrate may exercise the powers vested in him by the provisions of this Section, it shall be incumbent on such

such Magistrate or Joint Magistrate to record on his proceedings either in the English or Persian language, the considerations which may have induced him to deem such course of procedure advisable, and a copy of the proceeding shall be immediately transmitted by him to the Superintendent of Police for the information of that officer.

When the tender of such pardon may be desirable with a view to obtain the evidence of an accomplice, the previous sanction of the Superintendent of Police necessary.

Fourth. If the Magistrate or Joint Magistrate should consider it desirable, that a pardon should be tendered to any accomplice or accessary in a crime of the description specified in the preceding Section, with a view to obtain the evidence of such accomplice or accessary in the trial of the other offender or offenders, the Magistrate or Joint Magistrate shall apply to the Superintendent of Police for his sanction to the measure.

Copy of the examination without oath of the accomplice to be transmitted to the Superintendent of Police.

Fifth. In such cases the individual in question shall in the first instance be examined by the Magistrate or Joint Magistrate without putting him on his oath, and a copy of the examination and of the proceedings holden in the case shall be transmitted to the Superintendent of Police, who after considering the proceedings of the Magistrate or Joint Magistrate, will determine on the propriety of complying with the application.

Caution to be observed on such occasions by Magistrates, Joint Magistrates, and Superintendents of Police.

IV. *First.* The Superintendents of Police, and the Magistrates and Joint Magistrates will be cautious not to tender pardons to principal offenders, and in no case to make the offer to accomplices or accessaries without a reasonable prospect of recovering the property plundered through

through the means of the person or persons to whom a conditional tender of pardon may be made, or of thereby securing the apprehension and conviction of the principal offenders by whom the crime may have been perpetrated, or of the receivers of the stolen property.

The offer of a pardon not to be sanctioned in certain cases.

Second In cases in which there may appear no prospect of obtaining other evidence than the deposition of an accomplice or accessary, the Superintendent of Police will refuse his sanction to the offer of a pardon.

Improper exercise of the power conferred on Magistrates and Joint Magistrates to be reported by the Superintendents of Police.

Third. It shall be the duty of the Superintendents of Police to bring to the notice of the Court of Nizamut Adawlut, all instances that may come to their knowledge of the injudicious or improper exercise of the powers vested in the Magistrates and Joint Magistrates by this Regulation.

Judge of Circuit or Nizamut Adawlut competent to direct the commitment of a person to whom pardon may have been tendered if he shall not fulfil the conditions of the tender.

V. *First.* It shall be competent to a Judge of Circuit at the time of holding the Sessions, or to the Nizamut Adawlut, if the final sentence should be passed by the latter Court, to direct the commitment of any person to whom a pardon may have been offered under the provisions of this Regulation, should it appear on evidence that such person has not conformed to the condition under which the pardon was tendered either by wilfully concealing any thing essential or by giving false evidence or information with a view to the conviction of an innocent person or persons.

Or to direct the Magistrate or Joint Ma-

Second. In like manner it shall be competent to a Judge of

of Circuit or to the Court of Nizamut Adawlut, at the time of trial, to instruct the Magistrate or Joint Magistrate to tender a pardon to any accomplice, or accessary, with the view of obtaining his evidence on oath as a witness on the trial.

gistrate to tender a pardon when they may judge it necessary.

Third. It shall be competent to the Court of Nizamut Adawlut to revise the proceedings of the Magistrates and Joint Magistrates, and Superintendents of Police, in any case in which a pardon may have been tendered to an accomplice or accessary, and to annul the orders passed on such proceedings, should it appear to the Superior Court that a pardon has been granted on insufficient grounds.

Nizamut Adawlut may revise proceedings and annul the orders of Magistrates, Joint Magistrates and Superintendents of Police when a pardon may have been improperly tendered.

VI. The powers granted by this Regulation to Magistrates and Joint Magistrates, are hereby declared not to extend to the Assistants to the Magistrates.

Assistants to Magistrates not to exercise the powers conferred on Magistrates and Joint Magistrates under this Regulation.

A. D. 1824. REGULATION XI.

A REGULATION *for empowering the Zillah and City Judges and Magistrates to depute their Registers or Assistants, for the purpose of making local investigations in certain cases;—Passed by the Governor General in Council on the* 15*th July* 1824, *corresponding with the* 1*st Sawun* 1231 *Bengal era; the* 4*th Sawun* 1231 *Fussily; the* 2*d Sawun* 1231 *Willaity; the* 4*th Sawun* 1881 *Sumbut; and the* 17*th Zekaad* 1239 *Higeree.*

Preamble.

BY the Second Clause of Section X. Regulation II. 1821, the Judges and Registers of the Zillah and City Courts are empowered to hold their proceedings in summary suits regarding rent, or dispossession from land or crops, at any place within the jurisdiction of the Courts to which they may be respectively attached. But no general p has

been vested in the Zillah and City Judges and Magistrates, to depute their Registers, or Assistants, for the purpose of making local investigations when such deputations may appear expedient; nor do the existing Regulations contain any provision for the payment of the expense incurred in such deputations whether by the parties or by Government. The following Rules have therefore been enacted to provide for such cases; to be in force as soon as promulgated throughout the Territories subject to the Presidency of Fort William.

Judges and Magistrates empowered to depute their Registers or Assistants to conduct investigations within their respective jurisdictions regarding boundary disputes, &c.

II. Whenever it may appear advisable to a Zillah or City Judge or Magistrate, to depute his Register, Assistant, or any European Officer acting under his authority, being a covenanted servant of the Company, to make a local investigation within the limits of his jurisdiction, for the purpose of speedily and satisfactorily determining a boundary dispute, or contested right of possession, or for the prompt and impartial adjustment of any matter connected with a depending civil suit, or subject of inquiry in the Foujdarry Court, which, from the circumstances of the case, may appear to require the deputation of an European Officer, instead of a Native Aumeen, or the employment of the local Moonsiff or Police Officer, it shall be competent to the Zillah or City Judge or Magistrate, to order such deputation, and to furnish the Officer so deputed with such instructions as may appear necessary for his guidance in making the local investigation committed to him. Provided that such instructions be not in

And to furnish them with suitable instructions.

in any respect inconsistent with the general Regulations in force.

Judges and Magistrates may determine what proportion of the deputation charges shall be paid by the respective parties.

III. Whenever the deputation of an European Officer, as authorized by the preceding Section, may be ordered at the request of a party in a civil suit, or for the purpose of inquiring into any local question of private right between two or more individuals, relative to a case depending in the Dewanny or Foujdarry Court, it shall be at the discretion of the Judge or Magistrate, by whom the deputation may be ordered, or who may determine the case to which it relates, to declare the whole or any part of the usual deputation allowance receivable by the Officer so deputed, as well as every other authorized and necessary expense attending the local inquiry, to be payable by the party against whom the case may be adjudged; or proportionally by each of the parties, if this appear just on due consideration of all the circumstances of the case. Provided that if in any instance, the Judge or Magistrate, shall be of opinion that it would not be proper from indigence or other cause to render the parties, or either of them, answerable for the whole or any part of the deputation allowance receivable by the European Officer deputed, he shall be authorized to discharge the same (subject to the usual audit) on the part of Government.

All deputations to be reported to the Secretary to Government in the Judicial Department.

IV. All deputations of a Register, Assistant, or other European Officer, which may be ordered by any Judge or Magistrate under this Regulation, shall be immediately reported, with a statement of the circumstances of the case,

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to the Secretary to Government in the Judicial Department, to whom also the return of the Officer so deputed shall be reported immediately on his return to his station.

Similar reports together with the Judge or Magistrate's proceeding to be communicated to the Provincial Court of the Division.

V. A report of the deputation of any European Officer under the provisions of this Regulation, shall also, in every instance, be made without delay to the Provincial Court of Appeal, or Circuit for the Division (according to the department in which the deputation may have been ordered) together with a copy of the proceeding of the Judge or Magistrate, directing the deputation; and if in any instance the reasons stated for the deputation shall not appear sufficient, and the Provincial Court (after calling for any further information that may be required) shall deem the deputation unnecessary, or inexpedient, it shall be competent to the Provincial Court of Appeal or Circuit, to revoke the same; transmitting at the same time a copy of the orders issued by them, with the proceedings and papers connected therewith, for the information of the Court of Sudder Dewanny, or Nizamut Adawlut, (according to the department in which the proceedings may have been held) who will issue such final orders in the case as they may deem just and proper.

Who may revoke the deputation if it shall be deemed an unnecessary or inexpedient measure.

In such cases the Court's proceedings to be transmitted to the Sudder Dewanny or Nizamut Adawlut for final orders.

Judges and Magistrates to depute their Registers only in cases of urgency.

VI. The Judges of the Zillah and City Courts are enjoined to observe the greatest caution in deputing their Registers, under the discretion vested in them by this Regulation, with a view to obviate the public inconvenience that must arise from any continued absence of

of the Register from his proper Court. Such deputations should not therefore be made, except in cases of urgency, and for a short period, nor shall the established pleaders of the Register's Court be required to attend the local investigation committed to him on such occasions; but the parties shall be at liberty to attend the same in person, or by any authorized agent whom they may duly appoint, to be present in their behalf.

The parties concerned or their authorized Agent, and not the established pleaders of the Register's Court, to attend the Register in making local investigations.

A. D. 1824. REGULATION XII.

A REGULATION *for reviving the penalty formerly imposed on wilful Revenue Defaulters;—Passed by the Governor General in Council on the 22d July* 1824, *corresponding with the 8th Sawun* 1231 *Bengal era; the 11th Sawun* 1231 *Fusly; the 9th Sawun* 1231 *Willaity; the 11th Sawun* 1881 *Sumbut; and the 24th Zekaad* 1239 *Higeree.*

WHEREAS many of the Zemindars of Bengal, Behar and Benares, notwithstanding the advantages derived by them from the permanent assessment of their estates, wilfully neglect to pay their Revenue according to their engagements and causelessly withhold the public dues until their estates are put up to sale; and Whereas much public inconvenience having been experienced from such default, it appears to be expedient to revive the Rule under which defaulters were liable, in addition to the prescribed interest, Preamble.

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to a penalty at the rate of 12 per Cent per annum on the arrears due from them respectively, the following Rule is enacted to be in force from the date of the promulgation of this Regulation.

Clause First, Section XXVIII. Regulation V. 1812, rescinded, and the provisions which were annulled by that Clause to be again in force.

II. Clause First, Section XXVIII. Regulation V. 1812, is hereby rescinded, and the penalty prescribed by the provisions which were annulled by the said Clause, and which are now re-enacted, shall, when imposed by the Board of Revenue, be realized in the same manner as an arrear of Revenue.

A. D. 1824. REGULATION XIII.

A REGULATION *for making further provisions relative to the Office of Sudder Aumeen.—Passed by the Governor General in Council on the 22d July* 1824, *corresponding with the 8th Sawun* 1231 *Bengal era; the 11th Sawun* 1231 *Fussily; the 9th Sawun* 1231 *Willaity; the 11th Sawun* 1881 *Sumbut; and the 24th Zekaad* 1239 *Higeree.*

Preamble.

WITH a view to the better administration of Civil justice in suits referred for trial and decision to Sudder Aumeens, as well as for the more certain and adequate compensation of these Officers in certain cases, it has been deemed expedient to discontinue the mode of paying them by the institution fee, or stamp duty substituted for it, in suits decided by them, or adjusted before them by Razeenamahs of the parties; and to grant them a fixed allowance from Government, calculated to ensure a faithful discharge of duty and afford them a liberal reward for their services;

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it has, at the same time, appeared proper to render their services more available to the Judges of the Zillah and City Courts; the following Rules have accordingly been enacted, to be in force from the date of their promulgation throughout the Territories subject to the Presidency of Fort William.

Parts of Regulation XXIII. 1814, and Regulation II. 1821, rescinded.

II. *First.* Such parts of Regulation XXIII. 1814, and of Regulation II. 1821, or of any other Regulation in force, as authorize Sudder Aumeens to receive as a compensation in original suits and appeals decided by them, or adjusted before them by Razeenamah, the amount of the institution fee, or stamp duty substituted for such fee, on the suits or appeals so decided or adjusted, are rescinded, and shall have no operation after the 30th day of April, 1824.

Sudder Aumeens to receive monthly allowances in lieu of fees.

Second. From the 1st day of May, 1824, the Sudder Aumeens shall in lieu of the fee and compensation abovementioned, receive from Government such monthly allowances as may be fixed for them respectively, by the orders of the Governor General in Council.

Parts of Section II. Regulation XXIII. 1814. and Section IV. Regulation III. 1817. rescinded.

III. *First.* Such parts of Section II. Regulation XXIII. 1814, and Section IV. Regulation III. 1817. or of any other Regulation in force, as restrict plaintiffs or appellants in original suits, or appeals adjusted by Razeenamah before Sudder Aumeens, from receiving back the whole or a portion of the institution fee paid by them, in pursuance of the general rules prescribed in the First and Second Clauses of Section XI. Regulation XIII. 1810, for encouraging the adjustment of depending

suits

suits and appeals by Razeenamah, are hereby rescinded.

Second. In original suits and appeals referred to Sudder Aumeens, and adjusted by Razeenamah, after the 1st May, 1824, if the Razeenamah be filed before the pleadings are completed and read, the full amount of the stamp duty paid on the institution of the suit or appeal, shall be returned to the party who may have paid the same; or to his legal representative; or a moiety of the stamp duty so paid shall be returned if the Razeenamah be filed after the pleadings have been completed and read.

Stamp duties in original suits and appeals referred to Sudder Aumeens how to be disposed of when such suits are adjusted by Razeenamah.

Third. The several Sudder Aumeens are required to submit to the Judges and Registers, with whom they are respectively stationed, a monthly statement of the stamp duty receivable by the parties entitled thereto under the above Clause; and the Judges after ascertaining the correctness of such statements, will take the necessary measures for causing payment to the parties entitled thereto in pursuance of Section XXV. Regulation XXVI. 1814.

A monthly statement of stamp duty receivable by the parties entitled thereto to be furnished by the Sudder Aumeens.

IV. *First.* So much of Section LXVIII. Regulation XXIII. 1814, Section VI. Regulation XXVIII. 1814, or of any other Regulation in force, as directs that no suits shall be referred for trial and decision to a Sudder Aumeen in which the plaintiff may have been admitted to sue *in formâ Pauperis*, is hereby rescinded.

Part of Section LXVIII. Regulation XXIII. 1814, and Section VI. Regulation XXVIII. 1814, rescinded.

Second. When a plaintiff may have been admitted by the Judge or Register of a Zillah or City Court, to institute his

The Judge may refer suits in *formâ Pauperis* to a Sudder Aumeen.

his suit, in *formâ Pauperis* under the rules for paupers contained in Regulation XXVIII. 1814, and the suit may, in other respects, be referrible to a Sudder Aumeen, it shall be competent to the Judge to refer the same for trial and decision by one of the Sudder Aumeens attached to the Zillah or City Court, or stationed with the Register in any other part of his jurisdiction; and the suit so referred shall be proceeded upon by the Sudder Aumeen as in other suits referred to him, subject to the provisions contained in Regulation XXVIII. 1814.

Certain provisions in Regulation XXVIII. 1814, declared applicable to parties in appealed cases referred for trial to Sudder Aumeens.

Third. The provisions in the Regulation abovementioned respecting pauper defendants in original suits, as well as those respecting pauper appellants and respondents in appealed cases, shall likewise be considered applicable to defendants in original suits, and to appellants and respondents in appealed cases referred for trial to Sudder Aumeens: but no person shall be admitted by a Sudder Aumeen to prosecute or defend an original suit or appeal, in *formâ Pauperis* without the written order of the Zillah or City Judge, or of the Register with whom the Aumeen may be stationed, authorizing the admission of the party as a pauper under the provisions of Regulation XXVIII. 1814.

Exception.

Provision in Section V. of the same Regulation extended to Sudder Aumeens.

Fourth. The Judges and Registers who are empowered by Section V. of the Regulation abovementioned, to employ an authorized Officer of the Court in taking the examinations of parties and witnesses for the purposes therein specified, may however employ the Sudder Aumeens attach-

ed

ed to their respective Courts, in taking such examinations and generally in making the inquiries provided for by that Regulation. But no final order for the admission of a pauper shall be passed by a Sudder Aumeen, nor shall the commitment of pauper plaintiffs to close custody, in pursuance of Section XI. Regulation XXVIII. 1814, be carried into execution by a Sudder Aumeen, without the sanction of the Judge or Register, to whom it may belong to enforce the decision of the Aumeen in such cases.

But no final order to be passed for admission of a Pauper suit without the sanction of the Judge or Register.

V. By the First Clause of Section LXXVI. Regulation XXIII. 1814, it is provided, that "in the trial of regular suits by the Zillah or City Judges, or in miscellaneous cases, whenever the adjustment of accounts regarding the execution of decrees, and mercantile or revenue transactions, or the investigation of disputes between landlord and tenant, or of other special matters of account, fact, or usage, may be requisite; and such adjustment or investigation, if conducted by the Judge himself, would occupy a larger portion of his time than could be conveniently devoted to it, the Judge is hereby authorized to direct any of the Sudder Aumeens under his jurisdiction to make such adjustment, or investigation." The Second, Third, Fourth, Fifth and Sixth Clauses of the Section abovementioned, contain further provisions relative to the cases therein stated; and the whole of these Clauses shall be still in force, except the Fifth; which, in consequence of the salary to be hereafter received by Sudder Aumeens from Government, is hereby rescinded; Provided however that if any necessary expense be incurred in making the inquiries

The whole of Clauses II. III. IV. V. and VI. of Section LXXVI. Regulation XXIII. 1814, still in force except the 5th, which is hereby rescinded.

Proviso.

inquiries or adjustments referred to, it shall be competent to the Judge on the completion of the enquiry or adjustment, to order payment of the amount of such necessary expense by one or both of the parties in the case as may appear just and proper.

A. D. 1824. REGULATION XIV.

A REGULATION *for modifying the Rules in force for referring to the Collectors Summary Suits in cases of arrear or exaction of rent.—Passed by the Governor General in Council on the 22d July* **1824**, *corresponding with the 8th Sawun* **1231** *Bengal era; the 11th Sawun* **1231** *Fusly; the 9th Sawun* **1231** *Willaity; the 11th Sawun* **1881** *Sumbut; and the 24th Zekaad* **1239** *Higeree.*

Preamble.

THE provisions contained in the Regulations now in force, empowering the Judges of the several Zillah and City Courts to refer to the Collectors for adjustment and report summary suits relating to arrears or exactions of rent, have been found insufficient to expedite the trial and adjudication of such suits; and it has in consequence become indispensible

sible to the attainment of that object that the Revenue Officers should be vested with authority to hear, investigate and determine, by a summary process, and subject to a regular suit in the Civil Court, all suits, claims, and demands of rent, arrears or exactions of rent, between landholders or farmers of land, and their under-tenants, or between any other persons concerned in the receipt and payment of the land rents, which may be referred to them for that purpose by the Judges of the Zillah and City Courts; the following rules have been accordingly enacted, to be in force from the date of their promulgation throughout the territories immediately subject to the Presidency of Fort William.

Parts of former Regulations modified.

II. *First.* Such parts of Regulations VII. 1799, V. 1800, XXVIII. 1803, V. 1812, VII. 1813, and XIX. 1817, or of any other Regulation in force, as direct or authorize the Judges of the Zillah and City Courts to refer summary suits relative to arrears or exactions of rent, or any summary suits within the provisions of the Regulations above noticed, to the Collectors of the land revenue, for adjustment and report, are hereby modified as follows:

A Judge referring to a Collector Summary Suits under Section XIII. Regulation XIX. 1817 shall issue a precept requiring him to try and decide the suit within a limited period;

Second. Whenever the Judge of a Zillah or City Court under the discretion vested in him by Section XIII. Regulation XIX. 1817, may consider it proper, with a view to the speedy trial and determination of any summary suit of the nature therein mentioned, to refer the same to the Collector of the district, he shall do so by a precept, requiring the

the Collector to investigate and decide the suit referred to him; and to report his decision within a limited period, or to assign reason at the expiration of such period, why the suit has not been decided, and what further time is requisite for bringing the same to a summary determination.

Or assign a sufficient reason.

Third. In the event of any considerable delay in the decision of a suit so referred to a Collector, it shall be competent to the Judge to recal the same, and to try the suit himself, or refer it to his Register.

In the event of considerable delay, the Judge may recal suits from the Collector.

III. It shall be competent to the Collectors summarily to hear, investigate and determine, any suits of the nature of those above specified, which may be referred to them by the Judges of the Zillah and City Courts, under the provisions of the foregoing Section.

The Collectors are competent Summarily to determine Suits referred to them under the foregoing Section.

IV. In the trial and decision of such suits, the Collector shall be guided by the rules contained in this Regulation, and upon points to which these may not be applicable by the rules prescribed for the guidance of the Civil Courts in the trial and decision of summary suits of the same description. The Collector shall also possess the same power as are vested in the Civil Courts for causing the attendance of parties and witnesses, and generally for all process which it may be necessary to issue in such suits, except the execution of decrees, respecting which the following rule is to be observed.

The Collector how to be guided in the decision of such suits.

The Collector invested with the same powers as the Civil Courts in issuing all process.

Except the execution of decrees.

V.

All decisions to be notified by the Collector to the Judge of the Court by which the suit was referred.

V. All decisions passed by the Collectors under the provisions of this Regulation, shall be notified as soon as practicable, under the Collector's official seal and signature to the Judge of the Court, by which the suit may have been referred; and the whole of the papers received, and proceedings held in the case, shall at the same time be transmitted to that Court, with a final return to the precept by which it was referred. In cases in which a specific sum shall have been adjudged to be due, or any costs or damages awarded, the Collector's award shall be executed by the Judge, under the usual process of the Civil Court, immediately on his receiving the Collector's return as directed; and generally whatever may be ordered by the summary judgment of the Collector, consistently with the Regulations, shall be carried into execution by the ordinary process of the Civil Court.

The Collector's award to be executed by the Judge.

The parties are competent to appoint any Vakeel or Representative they may think proper.

VI. It shall be competent to the parties in all suits, the cognizance of which is hereby vested in the Collectors of Revenue, to employ any agent, vakeel or representative, whom they may think proper to appoint, to act and plead in their behalf, provided such agent, vakeel or representative, be duly empowered by the parties. The rate of remuneration to such agent or vakeel shall be left to be adjusted between himself and his constituent; but no greater sum shall be awarded on this account for costs payable by the party against whom the judgment may be passed than what may be deemed by the Collector a fair equivalent for the attendance of such agent.

The remuneration of such Vakeel to be adjusted between himself and constituent.

VII.

VII. No other pleadings shall be required from the parties in such suits than a plaint and answer, provided that if the parties should, at any time, wish to file an amended plaint, or an amended answer, or any explanatory motion, such subsidiary pleadings shall be received.

No other pleadings requisite than a plaint and answer.

VIII. The Mooktarnamas or Vakalutnamas, and the pleadings and final decree in such suits, shall be written on stampt paper of the value of eight annas, whatever may be the amount of the suit, and no fees shall be taken on exhibits, tendered in the cause, or for the witnesses required by the parties, nor shall it be necessary for the parties to present a written motion on stampt paper for the filing of such exhibits, or for the summoning of such witnesses.

Pleadings, &c. to be written on stampt paper of the value of eight annas.

No fees to be taken on the exhibits.

IX. It shall be competent to the Collectors to hear and determine such suits in whatever part of the district they may occasionally be, or reside, provided that every hearing and decision be in public Cutcherry, or in some other place open to the public, and in the presence of the parties, or of their constituted agents or vakeels, if in attendance.

Collectors competent to determine such Suits in any part of the district provided the proceedings be held in public.

X. Any person who may be dissatisfied with the summary judgment of a Collector passed under this Regulation, and may be desirous of a more full and formal investigation of the merits of the case, shall be at liberty to prefer a regular suit in the local Zillah or City Court, and on the institution of such suit the proceedings held on the summary inquiry shall be filed on the record of the regular suit.

A regular Suit may notwithstanding be preferred in the Zillah or City Court.

A. D. 1824. REGULATION XV.

A REGULATION *for enabling the Magistrates and Joint Magistrates to take summary cognizance of cases of forcible dispossession from, or disturbance in the possession of land or other property, subject to a regular suit in the Civil Court.—Passed by the Governor General in Council on the 22d July* 1824, *corresponding with the 8th Sawun* 1231 *Bengal era; the 11th Sawun* 1231 *Fusly; the 9th Sawun* 1231 *Willaity; the 11th Sawun* 1881 *Sumbut; and the 24th Zekaad* 1239 *Higeree.*

Preamble.

WHEREAS it appears desirable for the better maintenance of the public tranquillity, and with a view to prevent breaches of the peace, in cases of disputed boundaries or contested claims to the possession of lands, crops, wells, water-courses and other premises, that the summary investigation in such cases which is now made in the Courts of Dewanny

wanny Adawlut, should, under certain circumstances, be conducted in the Foujdarry Court, leaving the parties, if dissatisfied with the award of the Magistrate, to institute a regular suit in the Civil Court for the final determination of their rights; and Whereas in some districts the Offices of Judge and Magistrate are now held by different persons, under the provision made for that purpose in the Second Clause of Section II. Regulation XVI. 1810; and in such instances a reference from the Foujdarry to the Dewanny Court, as prescribed in the First Clause of Section V. Regulation VI. 1813, might not always ensure the prompt inquiry and decision which are essential to the object of the summary process therein provided for; the following rules have been enacted to be in force from the date of their promulgation throughout the provinces subject to the presidency of Fort William.

Modification of certain rules relative to cases of forcible dispossession from land &c.

II. The provisions of Regulation XLIX. 1793. Regulation XIV. 1795, Regulation XXXII. 1803 and Regulation VI. 1813, which relate to the summary investigation of cases of forcible dispossession from land, and other property, or forcible disturbance in the possession thereof, are hereby declared subject to the following modifications.

Magistrates and Joint Magistrates how to proceed when disputes likely to lead to a breach of the peace exist regarding the possession of land, &c.

III. Whenever it may appear to a Magistrate, or a Joint Magistrate, from the report of a police officer, or from any proceeding in the Foujdarry Court that disputes exist, concerning any lands or premises, or the right to water for purposes of irrigation likely to terminate in a breach of

of the peace if not speedily adjusted, the Magistrate or Joint Magistrate shall address purwannahs to the parties, calling on them to attend the Foujdarry Court in person or by vakeel, and to deliver a written statement of their possession, and to adduce proof of their having been dispossessed or disturbed in their possession by the adverse party, whereupon the Court, after an investigation of the statements and evidence of both parties shall proceed to pass a summary decision on the merits of the case, and the party in whose favor judgment may be passed shall be maintained in possession, until the award may be altered or reversed on the institution and decision of a regular suit in the Civil Court.

Summary decision to be passed subject to a regular suit in the Civil Court.

IV. The Magistrate by whom the summary investigation may be conducted in conformity with the preceding rule, shall, when he summons the parties to plead their respective claims, forward a copy of his proceeding to the Civil Court of the City or District wherein the dispute may have arisen, in order that no investigation of the same case may be entered upon in the Civil Court, otherwise than on the institution of a regular suit, and in the event of a summary suit between the parties being at that time pending for trial in the Civil Court, the Judge or Register, (as the case may be,) shall forward the proceedings of the suit to the Magistrate for his consideration and orders.

Information to be furnished to the Civil Court.

V. It is intended by the provisions of this Regulation that the right to possession should alone be determined summarily by the Foujdarry Courts, in order to secure the public peace.—It shall not therefore be competent to the Magistrates to award damages in such cases, and all parties who may

Magistrates and Joint Magistrates not authorized to award damages in such cases.

may have claims to urge for loss of crops or injuries sustained from dispossession, shall be referred to the Civil Court for redress under the rules at present in force.

No appeal from the Summary decisions of Magistrates in such cases to be admitted except on the ground that the case was not cognizable by the Magistrate under this Regulation.

VI. It is hereby declared that as the summary process authorized by this Regulation is subsidiary to a regular suit in the Zillah or City Civil Courts, no appeal shall be admissible against the judgments passed by the Zillah or City Magistrates, or Joint Magistrates, unless the ground of appeal be the irrelevancy of the Regulation to the case appealed; on which ground only the Court of Circuit of the division is authorized to receive an appeal if preferred at the sudder station of the Court within one month of the date of the summary decision in pursuance of the general rule prescribed in Section V. Regulation III. 1821.—The Court of Circuit after receiving the appeal, and calling for the proceedings in the case, shall dismiss the same with costs, if the stated ground of irrelevancy shall not appear to be established. If on the other hand the provisions of this Regulation appear inapplicable to the case, the Court of Circuit shall reverse the irregular judgment given by the Magistrate or Joint Magistrate, and pass such further orders thereupon as they may think just and proper, in pursuance of the Regulations in force, which may be applicable to the circumstances of the case.

The Court of Circuit how to proceed when such appeals may be preferred.

A. D. 1824. REGULATION XVI.

A REGULATION *for rescinding and modifying certain parts of the existing Regulations relating to the collection of Stamp Duties.— Passed by the Governor General in Council on the* 18*th November* 1824, *corresponding with the* 4*th Aughun* 1231 *Bengal era; the* 12*th Aughun* 1232 *Fusly; the* 5*th Aughun* 1232 *Willaity; the* 13*th Aughun* 1881 *Sumbut; and the* 26*th Rubee-ul-uwal* 1240 *Higeree.*

Preamble.

WHEREAS it is the intention of Government, with a view to prevent the forgery of Stampt Paper, to cause Stamps of a high value, to be impressed on paper specially manufactured in Europe for that purpose, and bearing in water-mark the device of the East India Company's Arms, with the following words, in addition to the ordinary legend of the said Arms, that is to say, the words *Government Stamp*, in English, and corresponding words in the Bengallee language and character, and in the Hindoostanee language and Nagree character, and the words Ulamut Hukoomut Kumpanee in the Persian character, and the said impression will supersede the necessity of causing the paper

to

to be authenticated in the manner prescribed in Section VI. Regulation I. 1814; and Whereas it appears unnecessary to continue the said authentication on stampt paper, of any description, of which the value may be less than eight annas, for each piece, and it is otherwise expedient to modify certain parts of the existing Regulations relating to this branch of the public Revenue, the following Rules have been enacted to be in force, within the Provinces belonging to the Presidency of Fort William, from and after the expiration of six weeks from the date of their promulgation.

Water mark paper, or paper of a value, not exceeding four annas per piece, need not be authenticated.

II. Stampt Paper of whatever value, being paper of the description specified in the Preamble of this Regulation, as well as Stampt Paper of a value, not exceeding four annas for each piece, shall and may be sold and distributed, without being authenticated in the manner prescribed in Section VI. Regulation I. 1814. Provided however, that paper of the above description or value, though bearing such authentication shall nevertheless be current as heretofore. The rule contained in the aforesaid Section shall continue to be observed in regard to all Stampt Paper of the value of eight annas and upwards, not being paper of the description specified in the preamble of this Regulation. But it shall be competent to Government to alter, modify, or rescind that rule by an Order in Council, in such manner as may from time to time be judged expedient, or by a like order to cause any new or additional device or legend to be impressed on the Stampt Paper.

Certain provisions rescinded.

III. Sections IX. XI. and XII. Regulation I. 1814, with so much of Section XVIII. of that Regulation as refers to Mookhtearnamahs, and Sections XVII. XVIII. XIX. and XXVI. Regulation XXVI. 1814, excepting so much of Section XIX. as relates to Security Bonds (Malzaminee, fail Zaminee

or

or Hazir Zaminee) taken by or by order of any Court, Collector, or other Judicial or Revenue authority, are hereby rescinded.

New Stamp duties prescribed for certain deeds, instruments, and writings.

IV. From and after the date specified in the Preamble of this Regulation, Stamp Duties shall be chargeable on the deeds, instruments, and writings, specified in the Schedule, (No. 1) annexed to this Regulation, at the rates therein set forth, and no instrument, deed, or writing of the descriptions specified in the said Schedule (saving of course what may be therein declared to be exempted) shall be written or printed on any paper, parchment, vellum, taur-leaf, or other material applicable to such purpose, unless the same shall have been first duly stampt with a Stamp, denoting, and expressing the duty prescribed for such deed, instrument, or writing. Provided however, that if any of the deeds or instruments specified in the said Schedule shall require for their due engrossment two or more rolls of paper, it shall be sufficient that one of the rolls is stamped with the prescribed Stamp, provided the roll or sheet so stamped shall bear the signatures of the party or parties and of the attesting witnesses.

Lands how to be valued.

V. The valuation of lands and other property affected by deeds, instruments, or writings chargeable with a Stamp Duty, rated by the value thereof, shall be made, in conformity with the provisions contained in Section XIV. Regulation I. and Section XXIII. Regulation XXVI. 1814, as explained by Section V. Regulation XIX. 1817.

Penalty for employing Paper not bearing the prescribed Stamp.

VI. *First.* If any person or persons shall after the date specified in the Preamble of this Regulation, write or engross or cause to be written or engrossed on any vellum, parchment, paper or other material, any of the matters or things on account of which such material would be chargeable with Stamp Duty under the rules of this, or any other Regulation in force, before

fore the said material shall have been duly stamped, or if any person shall after the said date in any manner make, sign or execute, or knowingly accept or negotiate any deed, instrument or writing chargeable with a Stamp Duty that may not have been executed on paper, or other material duly stamped, such person or persons shall forfeit for every such offence a sum equivalent to twenty times the value of the Stampt Paper, which ought to have been used.

Or evading the rule by executing deeds out of the provinces.

Second. The same penalty shall be forfeited, paid, and levied by and from any person or persons ordinarily resident within the provinces, to which this Regulation extends, who may execute, or cause to be executed in any place on the Continent of India, not being within the said provinces, any deed, instrument, or writing of the description chargeable with Stamp Duty, with the intention of evading the payment of the prescribed duty, and also by and from any person or persons who may knowingly accept or negotiate any deed, instrument or writing so executed.

No deed executed in any place on the Continent of India shall be received in any Court, unless written on paper bearing the prescribed Stamp.

Third. Provided also that no deed, instrument, or writing, executed in any place whatsoever on the Continent of India, and relating to the payment, receipt, sale, conveyance, assignment, or transfer of any property, real or personal, being within any province or place to which this Regulation extends, or of any interest in such property, or to any agreement, contract, engagement, or settlement, to have effect within any province or place as aforesaid, such deed, instrument or writing being of a description chargeable with Stamp Duty under the rules of this or any other Regulation (saving and except Bills of Exchange bonâ fide drawn out of the said provinces) shall be admitted in evidence, or otherwise received or filed in any Court of Judicature or other Public Office,

unless

unless the paper, vellum or other material on which such deed, instrument, or writing may be written shall be stamped with the Stamp prescribed for such deed, instrument, or writing.

Fourth. Provided further, that no Bill of Exchange drawn on any part of the Continent of India, and payable within any province or place to which this Regulation extends, shall be negotiated within any such province or place, unless the same shall first be stamped with the Stamp prescribed by this Regulation for a bill of the like amount, or unless a copy thereof executed on paper bearing such a Stamp shall be prepared and attached to the original bill, with the signature of the person endorsing such original. Any violation of this prohibition shall subject the parties offending to the same penalties and forfeitures, as are prescribed for the case of persons executing deeds or instruments within the provinces, to which this Regulation extends, on paper not duly stamped.

Foreign bills of Exchange not to be negotiated without payment of prescribed Stamp duty.

Fifth. Provided however, that if any person or persons writing or engrossing or causing to be written or engrossed any matter or thing chargeable with a Stamp Duty upon unstamped paper, vellum, parchment or the like, or any person or persons accepting or becoming possessed of any deed or instrument so written on unstamped paper, or desirous of negotiating or benefiting thereby shall voluntarily carry the same to the Collector, and shall pay to that Officer the entire amount of duty chargeable thereupon, together with the amount hereinafter provided, the Collector shall transmit the deed, instrument or writing to the Superintendent of the Stamp Office, for the purpose of being duly stampt, and the person aforesaid shall not be liable to the penalty declared in the preceding Clause, that is to say, if the deed, instrument or writing originally executed on unstamped paper, shall

Holders of Instruments written on unstamped Paper, on what conditions to get them duly Stampt.

shall be brought to be stamped in the manner abovementioned, at any time before the money conditioned or directed to be paid or any part thereof, or the act conditioned to be done shall be due, but not later than thirty days from the date of the execution of the deed, instrument, or writing, or (in the case of deeds and instruments not conditioning the payment of money, or the performance of any contract within a specific period) at any time, within thirty days of the execution of the deed or instrument, the party shall pay a sum equal to five times the value of the Stampt Paper, which ought to have been used, if the deed or instrument aforesaid shall not be brought in the manner abovementioned, within the period above specified, the party bringing it shall pay a sum equal to ten times the value of the Stampt Paper, which ought to have been used. Provided also, that in the case of Bills of Exchange, which may be payable on demand, or which may be made payable at a certain date after sight, and which may not have been presented for payment, the maturity of such bills shall be calculated by allowing, for the presentation of them a period of two weeks, in addition to the time required for their transmission to the place on which they may be drawn, by the public dawk.

If within thirty days.

If after thirty days.

Penalty in case of the employment of paper stamped with too low a Stamp.

Sixth. In case any deed, instrument or other writing liable to a Stamp Duty shall have been executed on paper, parchment, vellum or other material stamped for a rate or amount of duty less than what may be the rate or amount chargeable on account of the matter or thing that may have been engrossed or written thereupon, the like penalties shall attach as have been provided by the preceding rules of this Section, that is, a sum equal to twenty times the excess of the proper stamp above the value of that which may have been used shall be forfeited, if the error of the stamp be discovered

discovered otherwise than by the voluntary production of the deed, instrument, or writing, by the party or parties concerned, and a sum equal to five or ten times the said excess, if the party shall voluntarily bring such deed to have the proper stamp affixed within the periods above stated respectively.

Provision for cases of accident or inadvertence.

Seventh. Provided however, and it is hereby enacted that in case any deed or instrument chargeable with a Stamp Duty shall have been executed on unstamped paper, or other unstamped material, or on any material bearing a stamp of an amount not equal to the duty chargeable upon such deed or instrument, then, if the person executing such deed, or any other party interested shall establish to the satisfaction of the Board of Revenue, or other authority exercising the powers of that Board, that the irregular execution of the deed or instrument was owing to accident or inadvertence, or to any unavoidable cause, it shall be competent to the above-mentioned authority, in case they should think proper to do so, to remit part or the whole of the penalties above enacted, and to cause a proper stamp to be affixed to such unstamped, or improperly stamped instrument, on the payment of the actual amount of duty chargeable thereupon. It shall also be competent to the Board, or other authority aforesaid, in cases in which, under special circumstances, it shall be proper or expedient, to direct the Collector to grant to the party a paper bearing the prescribed stamp, certifying thereon the amount paid, and the nature and date of the instrument on account of which it may have been levied, and authorizing the party to file, exhibit, and record the same in any Court or Public Office with such certificate and authority annexed; and on the production of such certificate and authority duly annexed to the instrument, the latter shall be filed, recorded, received, and enforced

forced in the same manner as if it were executed on paper bearing the prescribed stamp.

Board authorized to cause a Stamp to be impressed on deeds and instruments executed on unstampt Paper previously to the enactment of this Regulation.

Eighth. It is further hereby declared to be competent to the Board of Revenue, or other Board or Commission exercising the powers of that Board, to authorize and direct the prescribed stamp to be affixed to any deed, instrument, or writing, which may have been written on unstampt Paper, previously to the enactment of this Regulation, on the payment, by the party holding or desiring to benefit by such deed, instrument, or writing, of such a fine as the said Board may judge fit to demand: and any deed, instrument, or writing so stamped, shall be, and be considered equally valid as if it had been originally written and engrossed on paper bearing the proper stamp, any thing in the existing Regulations to the contrary notwithstanding.

Applications in such cases how to be made.

Ninth. Persons desiring to have the proper stamp affixed to deeds or instruments written on unstampt or stampt paper of an inadequate value, without the payment of the prescribed penalty, may make application for that purpose, either directly to the Board, or to the Collector or other Officer in charge of the Stamp Office. In cases in which application may be made to the Board, that authority will either investigate the case themselves, or refer it for report to the Collector as they shall judge most convenient, and in all cases, in which the party may apply to the Collector or other Officer aforesaid, it shall be the duty of such Officer forthwith to hold proceedings on the case, and to submit a report on the circumstances of it to the Board, to which he may be subordinate, with as little delay as practicable.

VII. *First.* Any person or persons filing, or exhibiting, or recording, or causing, or procuring to be filed, exhibited or recorded for the purposes of proof, information, registry, or for any purpose or in any manner whatsoever, in any Court of Justice or in the Office of any Collector, Register, or other Public Officer, any deed, instrument, petition, pleading, or other writing of the description required to be written on Stampt Paper, which may not be written on the prescribed Stampt Paper, whether the said person or persons be himself the party interested in the case or matter on account of which such deed, instrument, petition, pleading, or writing may be filed, exhibited or recorded, or be the Vakeel or Mookhtar of such party, or be a Ministerial Officer of such Court or Office, save and except the cases provided for in Section VIII. of this Regulation, shall besides dismission from Office (if the offender be an Officer of Government or authorized Vakeel of Court) forfeit to Government a sum equal to twenty times the value of the Stampt Paper on which such deed, instrument, petition, pleading, or writing ought to have been written.

Penalty for filing or recording Papers not executed on paper bearing the prescribed Stamp.

Second. Any Vakeel or authorized pleader attached to any Court of Judicature, any Cazee, or Public Officer whatsoever, who may draw up any deed, instrument, or other writing required to be written on Stampt Paper, on paper or other material not bearing the prescribed Stamp, or who may attest, register, or record any deed, instrument or writing, which may not be written on the prescribed stampt Paper, or who may prepare for the purpose of being authenticated, a copy of any deed, instrument, or writing on paper or other material not bearing a stamp of the same value, as is prescribed for the original of such deed, instrument, or writing, shall besides dismission from Office, forfeit to Government a sum equal to twenty times the value of the Stampt Paper on which

Penalty for Vakeels and others preparing papers without the prescribed Stamps.

which such deed, instrument or writing ought to have been written.

No exception on account of over value.

VIII. No exception shall be taken to any deed, instrument, or other writing, on the ground that the stamp which may have been used is not of a proper denomination, or rate of duty, provided the stamp or stamps used equal or exceed in value the stamp or stamps, which under the provisions of this Regulation ought to have been used.

Stamps to be Stampt on such Paper, and in such manner as Government directs.

IX. *First.* So much of Regulation I. 1814, as prescribes that the Stamps specified in Section V. of that Regulation shall be stampt at the Office of the Superintendent of Stamps, together with such parts of the said Regulation as prescribe, or can be construed to prescribe, the use of any particular description of paper, are hereby rescinded; the aforesaid stamps as may hereafter be used shall be impressed at such place, and in such manner, and on such paper or other material, as the Governor General in Council may, from time to time, direct.

Board of Revenue to cause proper dies, &c. to be prepared.

Second. In further modification of Section V. Regulation I. 1814, it is hereby enacted, that it shall be competent to the Board of Revenue, with the sanction of Government, to cause such sets of Stamps to be prepared, as may appear to them best suited for expressing and denoting the several Stamp Duties directed to be raised under this or any other Regulation; and to direct the employment of two or more Stamps to denote and express the amount chargeable on any single piece of vellum, parchment, paper, or other material, provided however that the Stamps impressed at the Office of the Superintendent of Stamps, or other place, appointed in lieu of it, shall always correspond in number and value with the Counter-stamps impressed at the General Treasury, and that

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all dies shall besides the words denoting their value contain the following words, that is to say, those used at the Office of the Superintendent of Stamps or other place aforesaid shall contain the words *Stamp Office*, and the Counter-stamp impressed at the General Treasury shall similarly contain the words *General Treasury*.

Such Officers to be appointed to the management of Stamp Concerns in each District, with such remuneration as Government may judge fit. Rules regarding appointment of Stamp-venders likewise modified.

X. So much of Section X. Regulation I. 1814, as prescribes that a single Office only shall be established in each District, for the superintendence of the sale of Stamps, and as fixes the mode and extent of remuneration to be granted to the Officer in charge of the said Office, together with such part of the aforesaid Section as prescribes or can be construed to prescribe that licenses for the sale of Stampt Paper shall be granted only to Natives of India, is hereby rescinded. The rules contained in the aforesaid Section, which refer to the form of Sunnud to be granted to, and engagements to be executed by the licensed venders of Stamps, are likewise declared to be subject to the modifications hereinafter prescribed. Such Offices shall be established for the above purpose in the several Districts, as the Governor General in Council shall from time to time direct, and Government further reserves to itself the power of determining from time to time the remuneration to be assigned to the Officers, vested with the charge of the several Stamp Offices, now established or hereafter to be established, and similarly of fixing from time to time, the limits within which the said Officers shall exercise the powers and perform the duties in this behalf ordinarily vested in Collectors of Land Revenue by Regulation I. 1814. Provided also, that all rules contained in this or any other Regulation now in force, or hereafter to be enacted, which have reference to the powers and functions exercised or emoluments enjoyed by the said Collectors, shall in matters of, or belonging to the Stamp Revenue, be held applicable

plicable to all other public Officers who may be vested with the charge of a Stamp Office under the above rule, unless otherwise specially provided. The Collectors or other Officers in charge of a Stamp Office, shall with the sanction of the Board of Revenue, or other authority exercising the powers of that Board, authorize such persons to sell stamps as may appear proper. Provided however, that all such persons shall be furnished with a license in the form No. 2, anneexd to this Regulation, and that a list of all licensed Stamp Venders shall be stuck up in a conspicuous place in the Cutcherry of the Collector of the District and in the Court-room of the nearest Dewanny Adawlut, or in such other place or places as the Board of Revenue, or other authority aforesaid, shall direct. Provided also, that all persons now appointed or authorized, or who may hereafter be appointed, or authorized to sell Stamps, under the authority of the Collector or other Officer in charge of a District Stamp Office, shall enter into an engagement, according to the form No. 3, annexed to this Regulation, and shall furnish adequate security for the due performance of the several stipulations therein contained, subject to the several penalties hereinafter specified: Provided also, that it shall and may be lawful for the Board of Revenue to require venders or distributors of Stamps to come under such further engagements as may appear necessary, and as may be legally required from them: any thing in the existing Regulations to the contrary notwithstanding.

Appointment of venders how to be made.

Conditions of appointment.

XI. *First*. All authorized Stamp Venders shall at all times have their respective licenses, together with a copy of the Schedule annexed to this Regulation, duly authenticated by the Official Seal and Signature of the Collector or other Officer, by whom they may have been licensed, stuck up

Venders always to have stuck up for general inspection, a copy of the Schedule of Duties, together with their respective licenses.

BENGAL SECRETARIAT LIBRARY

up in a conspicuous place in the Cutcherry-room or other place in which they may sell the Stamps: and shall further stick up such a notification on the outer door of their Cutcherry or House as the Collector or other Officer may direct, that the public may be fully apprized of their appointment. Any disobedience of this rule will subject the party offending to a fine of fifty Rupees.

And further to notify their appointment as may be directed.

Penalty for neglect.

Second. All Stamped Paper sold by authorized Venders, or otherwise delivered to individuals for use, shall be endorsed by the vender or other person delivering the same with his signature, written in the manner commonly used by him, and the vender or person aforesaid shall further inscribe on the back of each sheet or piece of such paper, the date of such sale or delivery. Any vender or distributor giving out Stamped Paper or the like without writing, at the back of each sheet or piece, his name as aforesaid, and the date of sale or delivery, shall forfeit for every such offence the sum of fifty Rupees, provided the value of the paper sold do not exceed the sum of sixteen Rupees; but if the value of the paper so sold without signature exceed the sum of sixteen Rupees, then the vender shall for every offence so committed forfeit a sum equal to three times the value of the paper so illegally sold by him. Any vender or distributor writing a false date at the back of paper, vellum, or parchment, given out by him, shall forfeit the sum of one hundred Rupees for every such offence, or if the value of the stamp sold exceed that amount then he shall forfeit six times the value of such Stamp Paper, besides being liable to the penalty of his Bond in case of any breach of it's stipulations.

Stamp venders to endorse Paper sold by them.

Penalty for neglect.

Penalty for writing a false date.

Third. No Vender or distributor of Stamps shall give out, or deliver any Stamped Paper, or the like without having previously received the full amount of the duty denominated

Venders not to sell Stamps at an inadequate price.

nated by the Stamp or Stamps thereon impressed, unless otherwise specially permitted or directed by the Collector or Board of Revenue, and any Vender or distributor who may, without a special direction, or permission in writing from the Collector or Board aforesaid, give out or deliver any Stamped paper, vellum, parchment, or the like, without having received the entire amount of duty, denominated by the Stamp or Stamps affixed thereto, shall forfeit for each and every piece of paper or other material aforesaid so given out, or delivered by him, the sum of fifty Rupees, besides being held responsible for the amount, which should have been taken in case of it's not being afterwards recovered. And any person taking or receiving Stampt Paper, without having paid the entire amount of duty as aforesaid, shall forfeit a like sum for each and every piece of paper so received or taken by him.

Penalty for selling or delivering without receiving the full price.

Penalty for purchasing at an inadequate price.

Fourth. All venders and distributors of Stamps shall comply with all applications made to them for the purchase of Stampt Paper or the like, with as little delay as practicable, and any vender or distributor being applied to for Stamped Paper or the like, and having in his possession the description of paper required, shall, in case of refusal or wilful delay to furnish the same to the person applying for it, and tendering the value in coin of the established currency or in notes authorized by Government to be received in payment of the public Revenue, forfeit for every such offence the sum of fifty Rupees.

Penalty for refusing or delaying to deliver paper.

Fifth. No vender or distributor of Stamps shall, on any plea or pretext whatsoever, take, receive, or demand a higher price for the Stamps sold or delivered by him, than the sum denoted by the Stamp or Stamps impressed on the paper,

No vender to take more than the prescribed price for Stamps sold by him.

per, parchment, or the like, so sold or delivered, or any fee, reward or consideration for furnishing Stamps to persons applying for them. Any vender or distributor who upon furnishing Stamped paper, parchment, vellum, or any other article bearing a stamp, to any individual for use, shall, as a consideration for furnishing the article, or on any other pretext, take or demand a higher price than the amount that may be denoted by the impression of the Stamp or Stamps upon such paper, parchment, vellum or the like, shall forfeit for every such offence the sum of Sicca Rupees one hundred.

Penalty for taking or demanding more than just price.

Sixth. All persons licensed to vend or distribute Stamps shall keep such accounts of the paper received and delivered by them, as the Board of Revenue may direct, and shall furnish the Collector with such copies or extracts of those accounts and at such periods as he may from time to time require. The said persons shall regularly pay to the Collector all money received by them, on the sale of Stamps entrusted to them, on account of Government, at such periods as the said Officer may appoint, and shall at all times when required permit the Collector or other person duly authorized by him to inspect the accounts kept by them, and to examine the store of Stampt Paper or the like, which they may at any time have in their possession.

Accounts to be kept by venders.

Venders regularly to pay money received by them on sale of Stamps.

Seventh. Any vender or distributor failing to produce before the Collector, to whom he is subordinate, any of the accounts required to be kept by him after requisition made in writing by that Officer on the day fixed in such requisition, and failing to account for such omission, to the satisfaction of the Board of Revenue, or other authority exercising the powers of that Board, shall forfeit the sum of Rupees fifty, and shall further be subject to such daily fine, for every day beyond the date fixed in such requisition, for the

Penalty for refusal or neglect to produce accounts.

the production thereof, until the day when the accounts may be produced, as the Board or other authority aforesaid may impose.

Penalty for withholding accounts and store of Paper from inspection of Collector.

Eighth. Any vender or distributor refusing to permit the Collector or other person, duly authorized by a writing, under the seal and signature of that Officer, to inspect the said accounts, and examine the store of Stamped Paper, at the time in the custody of such vender or distributor, immediately upon demand, shall forfeit for every such refusal the sum of one hundred Sicca Rupees, and shall further be subject to such daily fine until he complies, as the Board of Revenue may direct.

On resignation or dismission, paper and accounts to be delivered up.

Ninth. When the license of any vender or distributor may be withdrawn or upon resignation, all Stampt Paper or other article remaining in store at the time of such removal or resignation, and all accounts regarding the sale and distribution of Stampt Paper or the like, at any time delivered to him, together with the balance of all money or monies, which may have been realized by the sale and distribution thereof up to the date of the said removal or resignation, and which may not have been already paid or accounted for to the Collector of Stamp Duty, and likewise the Sunnud, Perwannahs, or other Documents, which the said vender or distributor may have received from that Officer, shall be forthwith delivered over to the Collector, or to such person or persons as he may appoint by a writing under his hand and seal to take charge thereof, receiving for such parts of the Stampt Paper or the like as may have been furnished to him, under the provisions of Clause V. Section XVI. of this Regulaton, the amount actually paid by him for the same as therein directed. In case any vender or distributor so removed or resigning shall refuse or fail to make over the said accounts and stores, and the

the balance of the accounts in cash or any part thereof, he shall forfeit for such failure or refusal a sum equal to treble the amount and value of the stamps and money, which may appear from the accounts kept at the Collector's Office, to be in the possession of such vender or distributor, together with such daily fine, until the papers, accounts and documents required are furnished, as the Board or other authority aforesaid may direct.

Tenth. In case of the death of any vender or distributor, the Collector shall in like manner be empowered to demand from the heir and person administering to the estate of, or representing the deceased, or other person in charge of his effects, the remainder of any store of Stamped paper, vellum, parchment, or the like in the possession of such vender or distributor at the time of his decease, together with all accounts of the sale or distribution thereof, and all Sunnuds, Perwannahs, and other documents or writings as aforesaid that may be forthcoming amongst the effects of the deceased, and in the event of any refusal on the part of the heir, administrator, or other person in charge of the effects of the deceased, to deliver the same, or of refusal to allow search to be made, whenever the Collector may demand to make search for the said stores or accounts, such heir or administrator, or other person in charge of the estate shall forfeit for every such offence the sum of fifty Rupees, together with such daily fine, until the papers, accounts, and documents required are furnished, as the Board or other authority aforesaid may direct.

Also on death of vender.

Eleventh. Provided also that it shall be competent to the Collector in the cases specified in the two preceding Clauses, as well as in all cases, in which a vender or distributor may fail or delay to account for and make good the value

In case of deficiency Collector may proceed against parties.

of

the said paper or material duly stampt without any fee or charge.

Decision of the Board regarding penalties in what cases to be final.

XIII. *First.* The decision of the Board of Revenue or other authority exercising the powers of that Board, shall be final in regard to all forfeitures and penalties to which venders or distributors of Stamps may become subject for any breach of the rules prescribed in Sections X. and XI. of this Regulation, or for any violation of the stipulations inserted in their engagements. The Board or other authority aforesaid shall and may determine the forms and process to be followed by the Collectors in such cases, and the rules, according to which their own proceedings are to be regulated, with reference to other cases in which the Revenue authorities are vested with Judicial Powers.

Penalties and balances due by venders or distributors how to be recovered.

Second. Such penalties, when adjusted by the Board or other authority aforesaid, as well as all balances of cash due from the said venders or distributors, or from any Officer of, or belonging to, the Stamp Department, shall and may be recovered by the Collectors from the persons or Officers aforesaid, or from their sureties by the same process, as it is or may be lawful to follow for the recovery of arrears of Land Revenue due from any farmer of land or his surety.

Penalties other than those above specified how to be recovered.

Third. All penalties prescribed in this Regulation, with the exception of those specified in Clause First of the present Section, shall be recoverable by a summary process in the Courts of Dewanny Adawlut, at the suit or information of the Collector or other Officer vested with the charge of the Office, established for the sale and distribution of Stamps: or in the case of writings filed, exhibited or recorded in any Public Office on the suit or information of the Officer in charge of such Office, or of any of the ministerial Officers belonging

ing to it, or of any other individual. Provided however, that in all cases of fines and forfeitures incurred under this Regulation, whether the same shall have been adjudged by a Revenue Board, or by a Court of Judicature, it shall be competent to the Board, within the jurisdiction of which the offence may have been committed, to abate, remit, or forgive such part of the prescribed fine or forfeiture as they may judge proper, and an order from the said Board to the Collector of the District shall be a sufficient warrant to the Court, for the discharge of any person confined for non-payment of any fine or forfeiture incurred under the provisions of this Regulation.

Power of remitting penalties vested in the Revenue Boards.

Fourth. Persons giving information, which shall lead to the conviction of any person guilty of any of the acts, for which a penalty or forfeiture is declared and prescribed by this Regulation, shall on conviction of the offender, be entitled to a moiety of the fines and forfeitures levied from him. The remaining moiety is to be carried to the credit of Government: as well as all fines levied from persons voluntarily producing unstampt, or irregular stampt writings, under the provisions of Clauses V. VI. VII. and VIII. Section VI.

Rewards to informers.

XIV. In modification of the rule contained in Clause IX. Section X. Regulation I. 1814, it is hereby declared and enacted that the provisions of the Clause for the punishment of persons concerned in the unlicensed sale of Stampt Paper, shall not be applicable to the case of persons, who having bonâ fide purchased Stampt Paper for their own use, with the prescribed endorsement from one of the authorized venders or distributors, may transfer the same to another at a price equal to the amount of duty denominated by the Stamp or Stamps impressed on the paper or other material so transferred, provided however, that every person who may so transfer Stampt Paper shall endorse the same with his signa-

Modification of the rule, regarding the transfer of Stamps by one Individual to another.

Individuals how to transfer Stamps.

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ture in the presence of one or more creditable persons, and the proof that the paper was purchased as aforesaid, shall lie with the person so transferring it. Provided also, that if any individual shall sell or buy any Stampt Paper, or other material bearing, or purporting to bear the Government Stamp, for a less price, than the amount of the duty denominated by the Stamp or Stamps thereon impressed, he shall forfeit for each and every piece of paper or other material so bought or sold by him, the sum of fifty Rupees, besides being subject to punishment under the rule contained in Clause IX. Section X. Regulation I. 1814.

Individuals on what terms to be supplied with Stamps for eventual use.

XV. *First.* For the convenience of Merchants, Indigo Planters, and others, who may be desirous of having at all times in their possession papers, parchments, or the like stamped with various impressions to be used, as occasion may require in the drawing up of instruments of any of the descriptions required to be executed on materials impressed with a Government Stamp, it is hereby provided that any person desirous of obtaining a supply of Stampt Paper or other material, shall on application to the Collector of the 24-Pergunnahs, or such other Officer or Officers, as the Governor General in Council may from time to time appoint, and the payment into his Treasury of the amount chargeable on account of the Stamps required, receive a Certificate from the Collector or Officer aforesaid, stating the amount paid and the number and value of the Stamps required: and on the production of that Certificate, together with the necessary quantity of plain paper, parchment, or other material, the Superintendent of Stamps or other Officer in charge of the Stamp Office, shall cause the same to be immediately stamped at his Office, with the Stamps specified in the said document, and shall transmit the said papers, parchments, or other materials to the General Treasury, to be there impressed with the necessary Counter-

stamps.

stamps. Provided however, that no person shall be entitled to require the Collector or other Officer aforesaid to grant a Certificate in the manner above stated, unless the total value of the Stamps for which he may tender payment shall amount to the sum of one hundred Rupees, and the number of pieces of paper, vellum or other material required to be stamped shall not be less than twenty.

Receipt to be produced to Superintendent of Stamps by persons wishing to have paper Stamps.

Second. No paper, vellum, parchment or other material shall on any account be received by the Superintendent of Stamps to be stamped on account of any individual, unless the same be accompanied with a Receipt in full under the signature of the Collector or other Officer aforesaid, for the entire amount of duty which may be required to be impressed thereon, or unless the same be sent to be stamped by authority of the Board of Revenue under the powers vested in that Board by this Regulation. The receipt of the Collector or other Officer aforesaid shall in all cases specify as well the aggregate amount paid as the number and description of the Stamps required, and the exact number of sheets or pieces on which the same are to be impressed, and all such receipts shall be disposed of by the Superintendent in such manner as the Board of Revenue may direct.

Examination and authentication of Stamps delivered by Superintendent to Individuals.

Third. The Superintendent of Stamps shall appoint one or more Officer or Officers of his establishment to receive and compare with the receipt of the Collector of the 24-Pergunnahs or other Officer aforesaid, all papers or the like brought to be stamped as above, and after the Stamps shall have been affixed the same Officer shall again count the whole, and sign his name at the back of each separate sheet or piece of paper, or other material, and he shall likewise note on each the date on which the said paper is ready for re-delivery, and further make an entry

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to that effect, with specification of the quantity of paper, or the like impressed with each description of Stamp in a book to be specially kept by him for that purpose. When the paper or other article shall be prepared in the manner above described, it shall be made up into a parcel, to be sealed with the Superintendent's Seal, and shall in that state be forthwith transmitted to the person, who may have sent it to be stamped, or at the Superintendent's option, notice shall be sent of its being ready for delivery when called for.

Discount in what cases, and to what amount to be allowed.

Fourth. Whenever any person or persons shall desire to send paper or other material to the Stamp Office, for the purpose of being stamped, and shall consequently pay the amount of duty in advance in the manner above required, it shall be competent to the Collector or other Officer aforesaid, in case the total amount so falling to be paid shall exceed the sum of five hundred Rupees in any one payment to allow to the party making such payment, a discount at the rate of four per Cent. upon the aggregate amount of duty leviable, or such other rate as may from time to time be appointed by the Governor General in Council, by notification in the Government Gazette, and the amount of such discount shall be charged and entered on the accounts of the Collector or other Officer aforesaid, under the head of disbursements.

Board may order Stamps to be furnished on conditions above specified to licensed venders.

Fifth. It shall also be competent to the Board of Revenue to direct and cause Stamps to be furnished in the manner prescribed in this Section to any licensed venders who may be willing to purchase the same. All such persons, however, shall in the sale of Stampt Paper so furnished to them, be subject to the same rules as are prescribed for the sale of Stamps supplied to them on account of Government. Provided however, that if such vender shall

shall resign or be dismissed, or his licence be otherwise cancelled, then and in that case, he, his representative, or assign shall deliver up to the Collector of Stamps, or to such person as he may appoint to receive it, all the Stampt Paper, Vellum, or the like furnished to him, under the provisions of this Section, or such portion as may not have been disposed of, and shall be entitled to recover a sum equivalent to the price, which he may have advanced for the same, viz. the specified amount of the Stampt Paper, or other material aforesaid, with a deduction of the discount that may have been allowed on it.

Penalty for stamping paper brought by individuals without due Certificate.

Sixth. If any Superintendent or other Officer shall fix or impress any Stamp to or upon any vellum, parchment, paper or other material, which shall be brought to the Stamp Office to be stamped or marked, without a regular Certificate from the Collector of the amount of duty having been paid, or without special authority in writing, from the Board of Revenue, he shall for every such offence forfeit the sum of one thousand Rupees. In like manner, if any Collector, or other Officer appointed to receive the Stamp Duty shall grant a Certificate of the above description, before the prescribed duty, with a deduction of the authorized discount, shall have been actually paid, such Officer shall forfeit for every such offence the sum of one thousand Rupees, besides being held responsible for the amount duty unrealized.

Also for granting a Certificate without full receipt of duty.

Penalty for procuring a Stamp to be improperly impressed or Certificate granted.

Seventh. Any Native Officer, or other person causing or procuring any Stamp to be fixed or impressed, or any Certificate to be granted in the manner aforesaid, or conniving with the Officer so fixing, or impressing any Stamp, or so granting a Certificate, shall forfeit for every such offence the sum of Rupees one thousand, and shall in addition be held answerable for the amount of the duty leviable on the paper mentioned in the Certificate.

First.

Stamps accidentally destroyed how to be replaced.

XVI *First.* Should it so happen that any parcel of papers, parchments, vellums, or the like or any single sheet or piece thereof that may have been duly stamped and obtained from a licensed Vender of Stamps or other Officer authorized to sell or distribute Stampt Paper shall have been destroyed by fire or other accident, it shall be competent to the Board of Revenue, or other authority exercising the powers of that Board, upon its being proved to the satisfaction of such authority, that the said Stamps were duly received and subsequently were destroyed by accident, after the manner asserted, to cause their Secretary on the payment of a fee of two Sicca Rupees by the owner of the paper or other material destroyed, or his representative, to deliver to him the same number of pieces of Stampt Paper, and of the same value as that which may have been destroyed.

Also soiled or spoiled Stamps.

Second. In like manner in case any Stampt paper, parchment, vellum, or the like after having been obtained in the regular manner shall have become soiled, spoiled, or unfit for use, either by consequence of any accident happening to the same, or because of error in the drawing up or copying of any instrument thereupon, which being discovered before such instrument may be finally signed and executed shall render the writing of no avail, or in which by reason of the death or refusal of the partyor parties, whose signature may be necessary to effect the transaction intended by such writing, it should be incomplete and of no avail, or in which by the refusal of any Office or trust that may be granted by such instrument, it shall fail of the purpose intended, or in the case of Promissory Notes, Bills of Exchange, or the like, if by non-delivery to the Payee, or person acting on his behalf, or other cause they shall never be brought to use; in all such cases it shall be competent to the Board of Revenue or other authority aforesaid, upon delivery being made of the Stampt paper, parchment, vellum, or the like so soiled or spoiled, to cause

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an equivalent quantity of Stampt Paper to be delivered as above provided, to the owner of the article or articles so soiled or spoiled, or to his representative on the payment of a fee of two Rupees. But this rule shall not extend to Bills of Exchange drawn in sets, of which any one of the set may have been delivered to the Payee.

Third. The owners of Stampt Paper which may be destroyed or soiled as aforesaid, may prefer their application to the Collector of the District in which they may have purchased it, and if the Collector shall be of opinion that the application ought to be complied with, he shall transmit a report of the case to the Board of Revenue, or other authority exercising the powers of that Board, to which he may be subject, and the Board or other authority shall be authorized to direct the Collector to deliver to the party or his representative, Stampt Paper equivalent to that which may have been destroyed or soiled, in the same manner and subject to the same conditions as above prescribed.

Application in such cases how to be preferred by the owner of the Stamps.

Fourth. Provided however, that no such indulgence shall be granted by authority of the Board of Revenue, or other authority aforesaid, except the total value of Stamps proved to have been destroyed or soiled by accident, or the total value of every single Stamp in the case of the material having been spoiled by being written upon shall amount to or exceed the sum of ten Sicca Rupees, and proof shall be exhibited to the satisfaction of the Board, or other authority aforesaid, that the accident or act, by reason of which the material may have become soiled, or spoiled, or destroyed or useless, occurred within the period of six weeks antecedent to the date on which application may be made for the renewal of it.

Restriction of above provision to cases in which the stamp or stamps destroyed or spoiled may exceed ten Rs. in value.

Limitation to time of application.

Board, Collectors and Superintendent of Stamps authorized to administer oaths.

XVII. It shall and may be lawful for the Board of Revenue, or other authority exercising the powers of that Board, the Superintendent of Stamps, and the Collectors or other Officers vested with the charge of Offices established for the sale and distribution of Stamps, to summon witnesses, to administer oaths and affirmations, and to take affidavits and affirmations with the same powers and authority in regard to resistance or disobedience of their orders in this behalf, and to contempts as belong to the Zillah and City Judges, in all cases where he or they shall respectively think it necessary to administer or take an oath or oaths, or affirmation or affirmations in any investigation or enquiry into any case relating to the Stamp Revenue, or in any matter or thing connected therewith, and any person giving intentionally and deliberately a false deposition on oath or solemn affirmation, when examined by the Board, or other authority, Superintendent, Collector, or other Officer aforesaid, shall be held and considered guilty of perjury, and shall be liable on conviction before a Court of Circuit, to the penalties, which are or may be prescribed for that offence; and the Zillah and City Judges shall give effect to all orders passed by the Board or Collectors, under the authority hereinbefore vested in them, for the confinement in the Dewanee Jail of persons who may refuse to swear, or to give evidence when legally required to do so, or who may be guilty of contempt.

Venders to verify accounts on Oaths when required.

XVIII. All persons appointed by the Board of Revenue, or other authority exercising the powers of that Board, to be venders or distributors of Stamps, shall verify by affidavit or affirmation their respective accounts, whenever they may be required by the Board or other authority aforesaid, to do so; and if any vender or distributor shall refuse or neglect to verify his accounts within such reasonable time as he shall be called upon to do so, by the said Board, or any member thereof, he shall for every such offence forfeit the sum of Rupees five hundred.

XIX.

XIX. *First.* So much of Regulation X. 1814, as prescribes that engagements between Government and Individuals for the provision of the Honorable Company's Investment, may be written on unstampt paper, is hereby rescinded.

Modification of Regulation X. 1814.

Second. All such engagements, and generally all deeds, instruments and writings chargeable with a Stamp Duty, which may be executed by, or to any Officer of Government, in the Commercial Department, or on account of any Commercial concern of or belonging to the Honorable Company, shall be written on Stampt Paper, of the same value as is or may be prescribed for the like deeds or instruments in the case of private Individuals.

Instruments and writings relating to matters of or belonging to the Commercial Department to be written on Stampt Paper of the same value as is prescribed for individuals

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No. 1.

SCHEDULE *referred to in the Body of the Regulation, containing the duties chargeable on Instruments of Conveyance, Contract, Obligation, and Security for Money, and on Deeds in general.*

	Sa. Rs.	As.
AGREEMENT or any Minute or Memorandum of an Agreement concerning any matter or thing of the value of 500 Rupees, or upwards, not otherwise charged in this Schedule, nor expressly exempted from all Stamp Duty, whether the same be only evidence of a contract, or obligatory upon the party, ...	8	0

EXEMPTIONS.

Memorandum of Agreement, for the hire of labour.

Ditto for the Sale of Goods, under the value of 500 *Rupees, and all Agreements carried on by letter and the like between Merchants and other persons, residing* 40 *miles from each other.*

ASSIGNMENTS if not of the nature specified under the heads of conveyances and settlements nor specially exempted, ...	8	0
BILLS OF EXCHANGE, Drafts, Promissory Notes, Hoondies, Teeps, Burats or other Order or Obligation for the payment of money		

money payable, (if payable within the provinces subordinate to the Presidency) at sight, or at any stated period, not exceeding three months after date, or ninety days after sight, (not being a deed, instrument or writing, bearing the attestation of one or more witnesses) together with all Bills of Exchange payable out of the said Provinces at whatever date.

								Sa. Rs.	As.
If for a sum of money, not exceeding					25	Rupees,	...	0	1
Above..... 25 Rupees, and not exceeding					50	ditto,	...	0	2
Ditto	50	do.	ditto	...	100	ditto,	...	0	4
Ditto	100	do.	ditto	...	200	ditto,	...	0	8
Ditto	200	do.	ditto	...	400	ditto,	...	0	12
Ditto	400	do.	ditto	...	800	ditto,	...	1	0
Ditto	800	do.	ditto	...	1,600	ditto,	...	1	8
Ditto	1,600	do.	ditto	...	3,000	ditto,	...	2	0
Ditto	3,000	do.	ditto	...	5,000	ditto,	...	2	8
Ditto	5,000	do.	ditto	...	10,000	ditto,	...	4	0
Ditto	10,000	do.	ditto	...	20,000	ditto,	...	6	0
Ditto	20,000	do.	ditto	...	30,000	ditto,	...	8	0
Ditto	30,000	do.	ditto	...	50,000	ditto,	...	12	0
Ditto	50,000	do.	ditto	...	100,000	ditto,	...	16	0
Ditto	100,000	do.	...	...	...	...	...	20	0

Promissory Notes, written on Paper of the above value shall not be re-issued after payment. Promissory Notes intended to be re-issued shall be charged as follows:

If for a sum of money, not exceeding					25	Rupees,	...	0	2
Above..... 25 Rupees, and not exceeding					50	ditto,	...	0	4
Ditto	50	do.	ditto	...	100	ditto,	...	0	8
Ditto	100	do.	ditto	...	200	ditto,	...	0	12
Ditto	200	do.	ditto	...	400	ditto,	...	1	0
Ditto	400	do.	ditto	...	800	ditto,	...	1	8
Ditto	800	do.	ditto	...	1,600	ditto,	...	2	0
Ditto	1,600	do.	ditto	...	3,000	ditto,	...	2	8
Ditto	3,000	do.	ditto	...	5,000	ditto,	...	4	0
Ditto	5,000	do.	ditto	...	10,000	ditto,	...	6	0
Ditto	10,000	do.	ditto	...	20,000	ditto,	...	8	0

Above

					Sa. Rs.	As.
Above 20,000 Rupees, and not exceeding				30,000 Rupees, ...	12	0
Ditto 30,000	do.	ditto	...	50,000 ditto, ...	16	0
Ditto 50,000	do.	ditto	...	100,000 ditto, ...	20	0
Above 100,000	do.	...	...	... ...	32	0

Note. The Governor General in Council reserves to himself the power of admitting any Bank or Company, to compound for the Stamp Duty, chargeable on the Notes issued by it. Notice of such arrangements to be given in the Government Gazette.

Foreign Bills of Exchange, drawn in sets, for every Bill of each set, where the sum made payable thereby may not exceed four hundred Rupees, ...					0	8.
More than	400	Rupees, but not exceeding		800 Rupees,	0	12
Ditto ...	800	do.	ditto	1,600 do. ...	1	0
Ditto ...	1,600	do.	ditto	3,000 do. ...	1	8
Ditto ...	3,000	do.	ditto	5,000 do. ...	2	0
Ditto ...	5,000	do.	ditto	10,000 do. ...	2	8
Ditto ...	10,000	do.	ditto	20,000 do. ...	4	0
Ditto ...	20,000	do.	ditto	30,000 do. ...	6	0
Ditto ...	30,000	do.	ditto	50,000 do. ...	8	0
Exceeding	50,000	do.	...	... ...	12	0

EXEMPTIONS.

Bills of Exchange drawn, and Promissory Notes issued by Government Officers, having authority to draw Bills upon the Government Treasuries, or to issue Promissory Notes, or other Acknowledgements on account of Government.

All Drafts or Orders, for the payment of any sum of money, to the bearer on demand, drawn upon any Bank, Banker or Agent, residing within 20 miles of the place, where such draft or order shall be issued; such place being specified on the face of the draft.

BILLS OF LADING of, or for any Goods to be exported, ...	1	0

BILLS OF SALE.

An absolute Bill of Sale, ... See Conveyances.

Bill of Sale as a Security being the principal, or only deed whereby the property is conveyed, ... See Mortgage.

Bill

	Sa. Rs.	As.
Bill of Sale as a Security, being merely a collateral one, with some deed or instrument that has paid the advalorem duty prescribed for conveyances, ...	8	0

Bonds, Tumusooks, or other Deed or Instrument, or other written Obligation for the payment of money, bearing the attestation of one or more witnesses, Promissory Notes or other Obligations as aforesaid, payable at a period exceeding three months after date, or ninety days after sight.

If for any sum not exceeding.....					..... 25 Rupees,	...	0	2
Above ..... 25 Rupees and not exceeding					... 50 ditto,	...	0	4
Ditto	50	do.	ditto	...	100 ditto,	...	0	8
Ditto	100	do.	ditto	...	200 ditto,	...	1	0
Ditto	200	do.	ditto	...	300 ditto,	...	2	0
Ditto	300	do.	ditto	...	500 ditto,	...	4	0
Ditto	500	do.	ditto	...	1,000 ditto,	...	6	0
Ditto	1,000	do.	ditto	...	2,000 ditto,	...	10	0
Ditto	2,000	do.	ditto	...	3,000 ditto,	...	16	0
Ditto	3,000	do.	ditto	...	5,000 ditto,	...	20	0
Ditto	5,000	do.	ditto	...	10,000 ditto,	...	32	0
Ditto	10,000	do.	ditto	...	20,000 ditto,	...	40	0
Ditto	20,000	do.	ditto	...	30,000 ditto,	...	50	0
Ditto	30,000	do.	ditto	...	50,000 ditto,	...	64	0
Ditto	50,000	do.	ditto	...	75,000 ditto,	...	70	0
Ditto	75,000	do.	ditto	...	100,000 ditto,	...	80	0
Ditto	100,000	do.	ditto	...	150,000 ditto,	...	100	0
Ditto	150,000	do.	ditto	...	200,000 ditto,	...	120	0
Ditto	200,000	do.	...	...	... ...	...	150	0

Bonds, concerning Respondentia and Bottomry, ...	Advalorem as above.
Bonds given as security for the transfer of Government Securities, or for the payment of an Annuity for a fixed period, or for the delivery or accounting for any matter or thing capable of being valued, ...	Shall be charged at the rate of the amount engaged to be paid or accounted for, or at the value of the thing to be delivered, or transferred.
Bonds for annuities for an indefinite period, such as life annuities and the like, ...	Shall be charged, at the rate of 10 times the yearly payment.

Bonds

	Sa. Rs.	As.
Bonds where the amount of the money to be secured, or ultimately recovered shall be uncertain and unlimited, ...	150	0
Where the amount is limited to a certain sum, ...	The same as on a Bond for such limited sum.	
Bonds taken as Collateral Security, with some deed or instrument that has paid the advalorem duty prescribed for conveyances or money Bonds, or as Security, for the performance of any other contract, covenant or agreement, not being for the payment of money, the transfer of property, or the satisfaction of any pecuniary demand.	8	
Bonds of Indemnity.		
Bonds for the due execution of an office or work and all other Bonds not otherwise charged or exempted from duty. ...		

EXEMPTIONS.

Arbitration Bonds.

Bonds given to, or by the Officers of Government on account of any matter, or thing of, or belonging to the Government in its Political or Territorial capacity.

Security Bonds, which may be taken by, or by order of any Court, Collector, or other Judicial or Revenue authority, Razeenamahs, Sooluhnamas, and Ruffanamahs, filed in any suit pending in a Court of Justice, shall be charged, as prescribed in the Regulations already in force or hereafter to be enacted.

CHARTER PARTIES, or any Agreement or Contract for the Charter of any Ship or Vessel, or any Memorandum, Letter or other writing between the Captain, Master or Owner of any Ship or Vessel, and any other person for, or relating to, the freight or conveyance of any money, goods, or effects, on board of such Ship or Vessel, ...	8	0

EXEMPTIONS.

Charter Parties of Ships or Vessels taken up by Government for the conveyance of Troops or Military Stores, or for other political purposes.

Contracts,

	Sa. Rs.	A.
CONTRACTS, OR DEEDS if not otherwise charged nor exempted from duty, ...		
COPARTNERSHIP, Deeds of, ...	8	0
COMPOSITION Deeds or other instruments of composition between a debtor or debtors, and his, her, or their creditors, ...		

CONVEYANCES whether grant, disposition, assignment, transfer, renunciation, or of any other kind or description whatsoever upon the sale of any Lands, Tenements, Rents, Annuities, or other property, real or personal, heritable or moveable, or of any right, title, interest or claims in, to, out of, or upon any Lands, Houses, Rents, Annuities, or other Property, that is to say, for or in respect of the principal or only deed, instrument or writing whereby the property sold shall be conveyed to or otherwise vested in the purchaser or purchasers, or to some other person, by his or their direction.

Where the purchase or consideration money therein expressed or denoted shall not exceed.....					50	Rupees,	...	0	8
Above	50	Rupees, and not exceeding.....			100	ditto,	...	1	0
Ditto	100	do.	ditto	...	200	ditto,	...	2	0
Ditto	200	do.	ditto	...	500	ditto,	...	4	0
Ditto	500	do.	ditto	...	1,000	ditto,	...	8	0
Ditto	1,000	do.	ditto	...	2,000	ditto,	...	12	0
Ditto	2,000	do.	ditto	...	3,000	ditto,	...	16	0
Ditto	3,000	do.	ditto	...	5,000	ditto,	...	20	0
Ditto	5,000	do.	ditto	...	8,000	ditto,	...	32	0
Ditto	8,000	do.	ditto	...	12,000	ditto,	...	40	0
Ditto	12,000	do.	ditto	...	20,000	ditto,	...	50	0
Ditto	20,000	do.	ditto	...	30,000	ditto,	...	64	0
Ditto	30,000	do.	ditto	...	50,000	ditto,	...	80	0
Ditto	50,000	do.	ditto	...	1,00,000	ditto,	...	100	0
Ditto	1,00,000	do.	ditto	...	2,00,000	ditto,	...	150	0
And for every further Lack of Rupees beyond 2 Lacks...								100	0

Note

Note. Where, of several deeds, instruments or writings, a doubt shall arise which is the principal, it shall be lawful for the parties to determine for themselves which shall be so deemed, and to engross the same on paper, parchment, vellum or the like stamped for the prescribed ad valorem duty, provided however that in all cases where there are more deeds than one, all other deeds than the principal shall be charged with a Stamp Duty of 8 Rupees, and all such deeds shall specify by their contents which other is the principal deed by which the conveyance has been effected, certifying that it is executed in the manner and on material stamped as required. Sr. Rs. As.

EXEMPTIONS.

All Grants, Leases, Sales or the like wherein Government in its Political or Territorial capacity is a party.

Note. This exemption shall not extend to sales made for the recovery of arrears of Revenue or Rent, or in satisfaction of Decrees of Court, in which cases the purchaser shall be required to pay the prescribed duty along with the purchase money, and shall receive, from the Officer conducting the Sale, a Deed of Sale executed on paper impressed with a corresponding Stamp.

All Transfers of Subscriptions to any of the Government Loans or other Government Securities, also of Bank Shares.

COPIES. Copy in any manner authenticated or declared to be a true Copy or made for the purpose of being given in evidence as a true Copy of any Bond, Deed, or Instrument of Agreement, Contract, Conveyance, or of any Deed or Instrument whatsoever chargeable with a Stamp Duty.

Where such Copy shall be made for the security or use of any person being a party to, or taking any benefit, or interest immediately under such agreement, contract, bond, deed, or other instrument. } The same duty, as for the original instrument.

Where such Copy shall be made for the security or use of any person not being a party to, or taking any benefit or interest immediately under such agreement, contract, bond, deed or other instrument. 8 0

Likewise

	Sa.	Rs.	As.
Likewise any Copy authenticated, or made as aforesaid, of any schedule, receipt, or other matter put or endorsed on, or annexed to any such agreement, contract, bond, deed, or other instrument aforesaid, ...		8	0

EXEMPTIONS.

Copies made for the private use only of any person having the custody of the original instrument, or of his, or her Attorney or Solicitor.

Copies of Papers, which public Officers are directed by any general Regulation, to make, require or furnish, not specially declared chargeable with Stamp Duty.

Notes. Copies of records, accounts or other documents required by Individuals from the public Offices, not specially charged with or exempted from duty, together with Copies of Decrees and Proceedings of the Courts of Judicature shall be charged in the manner, and subject to the conditions prescribed in Section XIX. Regulation I. 1814, and other provisions of the existing Regulations.

DEEDS, of any kind, not otherwise particularized in this Schedule, ...		8	0
EXCHANGES. Any deed whereby any real property shall be conveyed or surrendered in exchange for other property.			
If no sum of money shall be paid, or agreed to be paid for equality of Exchange, ...		8	0
And if any sum of money be paid, or agreed to be paid for equality of Exchange, ...	The same advalorem duty as for a conveyance for such sum.		
ENGAGEMENTS to cultivate, provide or deliver Indigo Plant, or to produce, manufacture, provide, or deliver any other article of commerce, in consideration of advances made, ...	Shall be charged on the amount advanced at the rate of Bonds or other Obligations for the payment of money payable at a period exceeding three months after date.		
LEASES. Any lease made in perpetuity, or for a term of years or period, determinable with one or more lives, or otherwise contingent in consideration of a sum of money paid in the way of premium, fine, or the like, if without rent, ...	The same duty as for a conveyance, or sale for a sum of the amount of such consideration.		

Any

	Sa. Rs.	As.
Any lease of Lands, Houses, or other real Property, at a yearly rent, without any payment of any sum of money, by way of fine or premium, ...		
Where the yearly rent shall exceed twelve Rupees, but shall not exceed twenty-four Rupees, ...	0	8
Exceeding 24 Rupees, but not exceeding 50 Rupees,....	0	12
Ditto..... 50 ditto, - - - 100 ditto ...	1	0
Ditto 100 ditto, - - - 250 ditto, ...	2	0
Ditto 250 ditto, - - - 500 ditto, ...	4	0
Ditto 500 ditto, - - - 1,000 ditto, ...	8	0
Ditto 1,000 ditto, - - - 2,000 ditto, ...	12	0
Ditto 2,000 ditto, - - - 4,000 ditto, ...	16	0
Ditto 4,000 ditto, - - 6,000 ditto, ...	20	0
Ditto 6,000 ditto, - - 10,000 ditto, ...	32	0
Ditto 10,000 ditto, - - 50,000 ditto, ...	64	0
Above 50,000 ditto, - - ...	80	0
Any lease of Lands, Houses, or other real Property, stipulating for a yearly rent, and granted in consideration of a fine or premium,	Shall be charged with both advalorem duties above provided.	
The counterpart of any lease charged with a duty, exceeding eight Rupees, shall likewise be executed on paper, vellum, or parchment bearing a stamp of, ...	4	0

EXEMPTIONS.

All Leases or Pottas, when the annual rent shall not exceed twelve Rupees.

All Leases or Pottas given by authority of Government, or of the Board of Revenue, or other authority, exercising the powers of that Board, and of the Court of Wards; Pottahs, Cuboolyuts, and other instruments of Contract relating to the rent of land executed between any Zemindar, Talookdar, Farmer, or other Sudder Malgoozar, or any holder or proprietor of Land, exempt from the payment of Revenue, or any Mofussil Talookdar, Ijaradar, Kutkenadar, or other lease holder, or the Gomasta,

Factor

Factor or other Agent of such Zemindar or other person aforesaid on the one part, and a Ryot or other actual Cultivator on the other, for the land tilled by him. Sa. Rs. As.

Note. All Leases, Pottahs, Cuboolyuts, or other similar instruments of contract between Zemindars, Talookdars, or other holders or Proprietors of Land, whether subject to the payment of Revenue to Government or otherwise, Farmers, Kutkenadars, Ijaradars, or other tenants, and any other Talookdar, Kutkenadar, Ijaradar or other lease holder, intermediate between the Ryots or actual Cultivators, and the Sudder Malgoozar or Lakherajdar, shall be written on Stampt Paper of the value above prescribed.

LETTERS or Powers of Attorney or Commission or Factory in the nature thereof.

Powers to perform any one special, that is to say, particular act, or the acts connected with one particular suit, case or transaction, or sundry acts to be done, after a manner specified in the instrument, ... 2 0

General, ... 4 0

EXEMPTIONS.

Wukalutnamahs executed to regular pleaders of the Sudder Dewanny Adawlut, or any of the subordinate Court of Judicature, authorizing them to prosecute or defend suits therein pending, or to present or make any miscellaneous petition, application or motion to the Court, which shall be charged according to Regulation I. 1814.

Mookhtarnamahs, executed by native officers and soldiers, belonging to the regular corps on the Military Establishment of the Presidency of Fort William.

LETTERS OF LICENCE from Creditors to Debtors, ... 8 0

MORTGAGES. Any Deed of Mortgage or Conditional Sale, with or without possession given of any lands, estate, or property real or personal, intended as a Security for money due or to be lent thereupon, also any deed, or contract, accompanied with a deposit of Title Deeds to any property where the same may be made as a Security for payment of money due or lent at the time. } Shall be charged after the same manner and at the same rates as if, in lieu of such Deed of Mortgage or the like, a Bond had been taken for the sum due or lent at the time.

Deeds

	Sa. Rs. As.
Deeds of Mortgage, or the like given as Security for the transfer of Government Securities, or for the payment of an annuity for a fixed period, or for the delivery at a future date of any matter or thing capable of being valued.	Shall be charged at the rate of the total amount assured, or of the bonâ fide value.
Deeds of Mortgage given for the Security of annuities for an indefinite period, such as life annuities and the like.	Shall be charged at the rate of 10 times the annual payment.
Where the total amount secured by such mortgage is unlimited,	150 0
Where it may be stipulated, that the amount secured by such mortgage shall not exceed a certain sum.	At the rate of such limitation.
Note. Where a Bond may have been already taken for the amount secured, or where from any other cause the mortgage shall act merely as Collateral Security to some other transaction, already charged with the advalorem duty thereupon, the same being specified in the body of the deed of mortgage, ... Likewise in case of there being more deeds than one required, to execute the mortgage in the manner desired by the parties, the principal deed only shall be charged with the advalorem duty, and all other deeds connected with the same transaction, ...	8 0

Acknowledgments or Promissory Notes granted to the Treasurer or other Officer of the Bank of Bengal, on account of the Bank, or to any private Banker or Agent for loans or advances made on the deposit of Government Securities, Bullion, Plate, Jewels or other Goods, and payable within three months after date, shall be charged as Promissory Notes. If payable at a date, exceeding three months, shall be charged as deeds of mortgage.

EXEMPTION.

Mortgages, to which Government in its Political or Territorial capacity, or the Officers of Government acting for the Government in matters relating to its Political or Territorial concerns are parties.

PARTITION. Any deed of partition of real or personal property adjusted by mutual agreement amongst Coheirs, Coparceners, or the like.	8	0

And

	Sa. Rs.	As.
And if any sum or sums of money shall be paid or agreed to be paid for equality of partition		
On partition of Estates made by Collectors of Land Revenue, whether on application of the parties, or any of them, or in execution of a Decree of Court, if the value of the portion allotted to each sharer shall exceed 800 Rupees, a Stamp Duty of the above amount shall be charged on each Copy of the paper of partition or other title deed which may be taken out by any of the parties after the partition shall have been approved by the Revenue Board.		
Where the portion of each sharer shall not exceed 800 Rupees, the following rate of duty shall be chargeable :		
If the value of each portion shall not exceed... 100 Rupees, —	0	8
More than 100 Rupees, but not exceeding.... 200 ditto, —	1	0
Ditto 200 do. ditto — 400 ditto, —	2	0
Ditto 400 do. ditto — 600 ditto, —	4	0
Ditto 600 do. ditto — 800 ditto, —	6	0
POLICY OF ASSURANCE or Insurance, or other Instrument by whatever name the same shall be called, whereby an Insurance shall be made upon any life or lives, or upon an event depending upon any life or lives.		
Where the sum insured shall not exceed— — — — Sa. Rs. 5,000	4	0
Exceeding 5,000 Rupees but not exceeding— — — — — 10,000	8	0
Ditto 10,000 ditto, — — 20,000	12	0
Ditto 20,000 ditto, — — — 50,000	16	0
Above 50,000 — — —	20	0.
Policy of Insurance of any Ship, Vessel, Sloop, Lighter, Boat or the like, any goods or property on board, or upon the freight of any Ship, Vessel, Sloop, Lighter, Boat or the like, or upon any other interest, relating thereto, or upon any voyage where the premium shall not exceed 2 per Cent. on the sum insured, if the whole sum insured shall not exceed 1,000 Rupees, —	0	8
If the sum insured exceed 1,000 Rupees, then for every 1,000 Rupees and also for any fractional part of 1,000 Rupees, whereof the same shall consist, — — — —	0	8

The principal deed stipulating for such payment shall be charged with the ad valorem duty prescribed for a conveyance or sale for an equal sum.

Where

	Sa. Rs.	As.
Where the premium shall exceed 2 per Cent. on the sum insured, if the whole sum shall not exceed 1,000 Rupees — —	1	0
If the sum insured exceeds 1,000 Rupees then for every 1,000 Rupees, and also for any fractional part of 1,000 Rupees whereof the same shall consist, — — — —	1	0
Promissory Notes. Payable to the Bearer on demand at sight, or at any stated period, not exceeding 3 months after date or 90 days after sight, — — — — —	See Bills of Exchange.	
Promissory Notes. Payable at a period exceeding 3 months after date or 90 days after sight, — — — —	See Bonds.	
Promissory Notes. For the payment of any sum by instalments, or for the payment of several sums at different dates, so that the whole of the money to be paid shall be definite and certain,	The same duty as would be chargeable on a bond for the whole amount.	
All Receipts for money deposited in any Bank, or in the hands of any Banker or Agent, if the same shall stipulate for the payment of interest, upon the money so deposited, or in hand, shall be deemed and taken to be Promissory Notes.		
Receipts or Discharges given for, or upon the payment of any sum of money not exceeding thirty-two Rupees, ...	0	1
Exceeding 32 Rupees, not exceeding 100 Rupees, ...	0	2
Ditto 100 do. ditto 200 do. ...	0	4
Ditto 200 do. ditto 500 do. ...	0	8
Ditto 500 do. ditto 1,000 do. ...	0	12
Ditto 1,000 do. ditto 2,000 do. ...	1	0
Ditto 2,000 do. ditto 3,000 do. ...	1	8
Ditto 3,000 do. ditto 5,000 do. ...	2	0
Ditto 5,000 do. ditto 8,000 do. ...	2	8
Above - - - - 8,000 do. ...	4	0
Also for a receipt in full of all demand, ...	4	0

And any instrument, note, memorandum or writing given upon the payment of money, whereby any money, debt or demand, or the part thereof therein specified shall be expressed or acknowledged to have been paid, settled, or otherwise satisfied

shall

shall be deemed to be a receipt for the amount so declared to be paid or satisfied.

And if any such instrument or other writing shall contain a general acknowledgment of the settlement of debts, accounts or other demands without specifying the amount thereof, such instrument or writing shall be deemed and taken to be a receipt in full of all demands and charged accordingly.

And if payment be made by delivery of a Bill or Bills of Exchange, Draft or Drafts, Promissory Notes, or the like Securities of money, the receipt or acknowledgment given thereupon shall be deemed to be a receipt within the meaning of this Schedule.

EXEMPTIONS.

Receipts for money paid or received by any Officer of Government on account of Government.

Receipts or discharges for the rent of land granted by any Zemindar, Talookdar, Farmer or other Malgoozar, or by any holder or proprietor of land held exempt from the payment of Revenue, or by any Mofussil Talookdar, Ijaradar, Kutkenadar, or other lease holder, or by the Gomasta, Factor, or other Agent of such Zemindar, or other person aforesaid, to a Ryot or other actual Cultivator for the rent of land tilled by him.

Note. Receipts or discharges granted by any Zemindar, Talookdar, or other holder or proprietor of land, or by any Farmer, Kutkenadar, Ijaradar or other tenant to any other Talookdar, Kutkenadar, Ijaradar, or other lease holder intermediate between the Ryots or actual Cultivators, and the sudder Malgoozar or Lakhirajdar, shall be written on stampt paper of the value above prescribed.

Receipts or discharges given for the purchase money of any Government Securities or shares of the Bank of Bengal.

Receipts and discharges given for money deposited in any Bank, or with any Agent to be accounted for on demand, provided no interest be stipulated as payable thereon.

If

If interest be stipulated such receipt shall be chargeable as a Promissory Note.

Receipts or discharges written upon Promissory Notes, Bills of Exchange, Drafts or Orders for the payment of money duly stamped.

Letters by the Post acknowledging the arrival of any Promissory Notes, Bills of Exchange, or other Securities for money.

Receipts or discharges written upon or contained in any Bond, Mortgage, or other Security, or any conveyance, deed, or other instrument duly stamped, acknowledging the receipt of the consideration money therein expressed, or the receipt of any principal money, interest or annuity thereby secured.

SETTLEMENTS. Any deed or instrument whereby any sum or sums of money or any Government Securities, or other property, real or personal, shall be settled or agreed to be settled upon, or for the benefit of any person or persons in any manner whatsoever,

Shall be charged with the advalorem duty chargeable for a bond for the amount or value settled, or agreed to be settled: or in cases in which the value shall be indeterminate at the rate of 100 Rupees.

Deeds of Gift and Dower whether to take effect on the instant or at a future period, determinate or indeterminate, shall be charged as Deed of Settlement.

EXEMPTIONS.

Wills, Testaments and the like, together with deeds merely declaratory of trust pursuant to any previous settlements, deed, or will.

GENERAL EXEMPTIONS.

Deeds, instruments, and writings of any kind, in which Government or any Board, Commission, Court, or public Officer, may in a public capacity be a party, save and except deeds, instruments and writings relating to matters of or belonging to the Commercial Department, shall not be chargeable with any Stamp Duty.

No. 2.

FORM *of* LICENSE *to be Granted.*

Whereas A. B. has duly executed the engagement required by Clause Section Regulation 1820, to be executed by persons authorized to sell Stamps as hereunto annexed, and has given sufficient Security for the performance of the same, I, C. D. Collector of do hereby authorize the said A. B. to be a Stamp Vender, and to open an Office for the Sale of Stamps at in Pergunnah in the District under my charge. Let him carefully and faithfully execute the several stipulations into which he has entered.

" Given under my Hand and Seal, this day of

(Signed) C. D.

Collector.

Copy of Engagement entered into by A. B., and referred to in the above License.

(Here enter Engagement)

(A true Copy,)

(Signed) C. D.

Collector.

No. 3.

FORM *of* ENGAGEMENT *to be executed by Persons appointed to the Office of Stamp Vender.*

I, A. B. appointed to vend Stamps at C—, in the Pergunnah of D—, in the district of E—, do hereby engage faithfully to observe the following Conditions:

1st. That I will carefully examine every Stampt Paper which may be entrusted or delivered to me for sale, and certify in my Receipts for the same, that such paper bears the Stamp of

of Government, and the signature of the Superintendent or his Assistant, in all cases in which such signature is required.

2d. That I will not charge more for any Stamp or Stamps entrusted or delivered to me for sale, than the established price for such Stamp or Stamps.

3d. That I will not in any case sell or deliver any Stamp or Stamps, without having previously received the full established price of the same.

4th. That I will monthly prepare and deliver to the Stamp Darogah, or such persons as may be authorized to receive the same, a faithful account of all the Stampt Paper which may be sold by me, and will likewise specify the balance which may remain in store under my charge.

5th. That I will faithfully and regularly pay into the Public Treasury the amount received by me on the sale of Stamps delivered to me, to be disposed of on account of Government at such periods as may be directed, and will carefully preserve all papers so entrusted to me whilst they remain in my custody, being at all times ready to deliver up to the Collector all that I may not sell.

6th. That I will monthly prepare a faithful account of all the Stampt Paper which may be delivered to me, specifying the quantity and value of the paper sold in each month, and the balance which may remain in store at the expiration of it, in such manner as may be directed. The said account I will monthly deliver to the Stamp Darogah, or such person as may be authorized to receive it, at such period as may be fixed for that purpose.

I will moreover, at all times obey any orders which may be issued from the Huzoor for the delivery or exhibition of my accounts, and the balance of any Stampt Paper or cash belonging to Government, together with all Sunnuds, Perwannahs, or other Documents which may be in my possession.

Whenever

Whenever I may sell or deliver Stampt Paper to any one I will carefully and truly certify the sale or delivery, and the date thereof on the back of each sheet of paper sold or delivered, with any further particulars that may be specially directed, and I will attest the endorsement with my signature.

I will at all times have my License, with the Table of Stamp Duties, which I have received from the Huzoor, stuck up in a conspicuous place in the Cutcherry-room, or other place in which I may sell Stamps, and carefully obey any further directions I may receive from the Huzoor in respect to the public notification of the trust now vested in me.

I will at all times furnish persons applying for Stampt Paper with the paper required by them, without any unnecessary delay. If any one shall apply to me for paper of a description not in my possession, I shall without loss of time represent the circumstance to the Huzoor. I will use all my endeavours to promote the sale of Stampt Paper, and to explain to my neighbours the orders of Government on the subject.

PRINCIPAL HEADS

OF THE

INDEX

TO THE

REGULATIONS

OF

1824.

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REGISTER OF DEEDS.
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ALTERATIONS,

ALTERATIONS, MODIFICATIONS, RESCISSIONS, EXTENSIONS, &c. &c.

Regulations Altered.					*By what Regulation.*		
Year.	*Regulation.*	*Section.*	*Clause.*		*Regulation.*	*Section.*	*Clause.*
1793	XLIX.	—	—	Modified by - - -	XV.	II.	—
1795	XIV.	—	—				
1799	VII.	—	—	Ditto Ditto, - - -	XIV.	II.	*First.*
1800	V.	—	—				
1802	II.	—	—	Applied by - - -	VII.	II.	*Fourth.*
—	II.	XVI. XVII. XVIII XIX XX. & XXI.	—	Extended by - - -	VII.	III.	*First.*
1803	XLV.	XXIII. and XXIV.	—	Modified by - - -	II.	III.	—
—	XXVIII	—	—	Ditto Ditto, - - -	XIV.	II.	*First.*
—	XXXII.	—	—	Ditto Ditto, - - -	XV.	II.	—
1810	XII.	II. III. & IV.	—	Amended by - - -	VI.	V.	—
—	XIV.	V.	—	Rescinded by - -	X.	II.	—
—	XIII.	XI.	*First and Second.*	Ditto by - - - -	XIII.	III.	*First.*
1811	I.	IX.	—	Ditto by - - - -	X.	II.	—
1812	V.	XXVIII.	*First.*	Ditto by - - - - -	XII.	II.	—
—	V.	—	—	Modified by - - -	XIV.	II.	*First.*
1813	X.	—	—	Ditto by - - - -	VII.	VI.	—
—	—	XIX. and XXVII.	—	Partly Rescinded by - -	VII.	VII.	—
—	—	III.	—	Modified by - - -	VII.	IX.	*Third, Fourth, & Fifth*
—	—	XXI. XXII. XXIII. and XXIV.	—	Applied by - - -	VII.	X.	*Second.*
—	—	XV.	*Second.*	Rescinded by - - -	VII.	XV.	—
—	—	XXX.	—	Commuted by - - -	VII.	XVI.	*Second.*
—	IV.	—	—	Rescinded by - - -	VIII.	II.	*First.*
—	VII.	—	—	Modified by - - -	XIV.	II.	*First.*
—	VI.	—	—	Ditto by - - -	XV.	II.	—
1814	I.	IX. XI. XII. and part of XVIII.	—	Rescinded by - - -	XV.	III.	—
—	—	—	—	Partly Rescinded by - -	XVI.	IX.	*First.*
—	—	V.	—	Further Modified by -	XVI.	IX.	*Second.*
—	—	X.	—	Partly Rescinded by- -	XVI.	X.	—
—	—	—	*Ninth.*	Modified by - - -	XVI.	XIV	—
—	XVII.	—	—	Applied by - - -	VII	VIII.	*Second.*
—	XXIII.	—	—	Partly Rescinded by -	XIII.	II.	*First.*
—	—	II.	—	Ditto Ditto by - - -	XIII.	III.	—
—	—	LXVIII.	—	Rescinded by - - -	—	IV.	—
—	—	LXXVI.	*Second, Third, Fourth and Sixth.*	Enforced by - - - -	—	V.	—
—	—	—	*Fifth.*	Rescinded by - - -	—	—	—
—	XXVI.	VI.	—	Ditto by - - - -	—	IV.	*First.*

Regulations Altered, &c.					By What Regulations.		
Year.	Regulation.	Section.	Clause.		Regulation.	Section.	Clause.
1814	XXVI.	VI.	—	Applied (with an exception) by	XIII.	IV.	*Third.*
—	—	V.	—	Extended by - - -	—	—	*Fourth.*
—	—	XVII. XVIII XIX. partly, and XXVI.	—	Rescinded by - - -	XV.	III.	—
1816	XIII.	XLI.	—	Modified by - - -	VII.	XVII.	*First.*
—	—	—	—	Further Ditto by - -	—	XXI.	—
—	—	LXXXI. LXXXII. LXXXV. to XC. inclusive.	—	Applied by - - -	—	XVI.	*Fourth.*
1817	III.	IV.	—	Partly Rescinded by -	XIII.	III.	*First.*
—	XIX.	—	—	Modified by - - - -	XIV.	II.	—
1818	XI.	—	—	Rescinded by - - -	VIII.	II.	*First.*
—	XII.	II.	*Second.*	Modified by - - -	VI.	III.	—
—	—	—	*Fifth.*	Amended by - - -	—	II.	*First.*
—	—	III.	*Fourth.*	Amended by - - -	—	II.	*First.*
1820	IV.	IV.	—	Applied by - - -	—	IV.	—
1821	II.	—	—	Partly Rescinded by -	XIII.	II.	*First.*
1822	VII.	III. and following.	—	Applied by - - -	IX.	IV.	—
1823	VI.	—	—	Extended by - - -	V.	II.	—

	Regulation.	Section.	Clause.
CEDED AND CONQUERED PROVINCES.			
The existing settlement in the Ceded and Conquered Provinces, and in Bundlecund, extended in certain cases, for a further period of five years. ...	IX.	II.	*First.*
Zemeendars declining to continue their engagements for such period, to notify the same to the Revenue Authorities, on or before the 11th of October next.			
On failing to do so, declared responsible for the payment of the present Jumma during the ensuing five years, the Jumma, in such cases, to remain unaltered.			*Second.*
Collectors empowered to exclude certain Mehals from the operation of the above rule, should any special reason exist, and declared competent to form a Settlement of such Mehals, or renew the Leases of them, for a further period. Proviso as to notice being given of such determination by the Collectors.			*Third.*

The

	Regulation.	Section.	Clause.
The above rules not to affect engagements already entered into.			*Fourth.*
Zemeendars, &c. whose engagements may be continued, allowed, after the expiration of such Leases, to hold their lands at the same Annual Jumma, until the formation of a revised settlement. Proviso against the payment of a higher Jumma by Zemeendars, unless timely apprized, such persons declared not liable to be ousted from the management of the lands, without notice given, except by due course of law.			*Fifth.*
Estates at present let in farm to be re-settled on the expiration of the existing Leases, and Zemeendars possessing a permanent property in the Mehals to have a preference.			
Proviso limiting such Leases to twelve years. The above rules declared applicable to Estates held Khas. Rule of proceeding in cases where Zemeendars, &c. refuse to maintain their engagements; Proviso for the exclusion of persons, who may have wilfully deteriorated their lands, &c.—In such cases, and others, where special circumstances require it, leases may be granted for fifteen years.	IX.	III.	
Rules contained in the third and following Sections of Regulation VII. 1822, with the foregoing modifications, declared equally applicable to the Conquered Provinces and to Bundlecund. Proviso limiting, in certain cases, the application of part of Clause 3, Section IX. of that Regulation.		IV.	
CRIMINAL JUSTICE.			
No sentence to be passed by a Magistrate, on individuals charged with two or more distinct offences, punishable under Sections I. II. III. Regulation XII. 1818, until the proceedings in both cases are completed.	VI.	II.	*First.*
On conviction of two or more charges, a Magistrate may pass sentence of punishment to the extent authorized for one, if such punishment appears sufficient.			*Second.*
If not sufficient, the Magistrate to commit the prisoner to the Court of Circuit, for trial for each offence.			*Third.*

Clause

	Regulation.	Section.	Clause.
Clause Second, Section II. Regulation XII. 1818, modified, ...		III.	
Section IV. Regulation IV. 1820, applicable to purchasers and receivers of stolen property, when the amount or value stolen shall exceed three hundred rupees, ...		IV.	
Sections II. III. and IV. of Regulation XII. 1818, amended, ...		V.	
FURRUCKABAD MINT.			
The Mint at Furruckabad abolished. Proviso in regard to Coin or Bullion brought to the Mint at Furruckabad for coinage, previously to the promulgation of this Regulation, ...	II.	II.	
Furruckabad Rupees and Half and Quarter Rupees to be still receivable in all public and private transactions, if not below a certain weight, ...		III.	
LAND AND OTHER IMMOVEABLE PROPERTY.			
When Ground wanted, Officers of Government to call on proprietor to state terms and any objection to transfer, ...	I.	II.	
If parties refuse to dispose of Property, Government may direct recourse to be had to arbitration,		III.	*First.*
In certain cases Government may delegate the power of directing a recourse to arbitration, ...			*Second.*
Arbitrators how to be appointed, and how to conduct their enquiries, ...		IV.	*First.*
Two Arbitrators on the part of Government to be selected by what officer, ...			
Parties to be required to elect two Arbitrators on their behalf, ...			*Second.*
Arbitrators, how to be selected out of the Nominees of the parties if more than two. Course to be followed, if only two persons be nominated. If only one person be nominated, ...		IV.	*Second.*
Declaration to be made by Arbitrators, ...			*Third.*
Umpire how to be chosen, ...			*Fourth.*
Functions of the Umpire.			*Fifth.*
Residing Officer to exercise what powers to secure attendance of the Arbitrators and completion of the award. In what cases may refer the matter to Umpire, ...			*Sixth.*

Arbitrators

	Regulation.	Section.	Clause.
Arbitrators to act under the Judge, Collector, or Magistrate of the district, ...			*Seventh*
Who shall cause witnesses to attend the Arbitrators.			*Eighth.*
Information to be furnished to Arbitrators by the Officer superintending the work, ...			
In what cases Arbitrators may measure, ...		V.	
Compensation for Lakhiraj land, how to be determined, ...		VI.	*First.*
Arbitrators how to proceed in cases of dispute between parties holding different interests in the land, ...			*Second.*
Adjustment how to be made for land, subject to the payment of revenue, ...			*Third.*
Rights of parties claiming an interest in land, taken by Government, how to be adjusted, ...			*Fourth.*
Arbitrators how to proceed when possession is doubtful. Possession by Government of property transferred to it, under the Regulation quoted, to be disturbed or defeated by reason of any matter touching the right or title of the former occupant, ...		VI.	*Fifth.*
Award how to be given by Arbitrators, ...		VII.	*First.*
Officer receiving award, how to proceed, ...			*Second.*
Grounds on which alone award shall be impeached,			*Third.*
Surrender of property required for public purposes, to be enforced by Magistrate, ...			*Fourth.*
Expences to be paid by Government, in cases referred to arbitration, under the above rules, ...			*Fifth.*
The above rules not applicable to the removal of obstructions to the navigation of rivers, ...		VIII.	
The above rules not to be applicable to lands required for the use of the Salt Department, unless so expressly provided, ...		IX.	*First.*
Rules for the adjustment of relative rights of Zemeendars and the Officers of the Salt Department, founded on the result of a special enquiry,			*Second.*
Khalaree remissions granted on the first establishment of the monopoly, on what principle allowed,			*Third.*
To be continued in perpetuity, ...			*Fourth.*
No further remissions or abatements, on account of Salt or Fuel Land, to be allowed without authority of Government, ...			*Fifth.*
Claims by Zemeendars to Khalaree rents, how to be prosecuted, ...		IX.	*Sixth.*

Collection

	Regulation	Section.	Clause.
Collection of Khalarce rents from Molungees, unless where authorized by Government to be discontinued, ...		IX.	*Seventh*
Also Tax on Fuel, ...			*Eighth.*
Contracts for the manufacture of Salt, what to specify, ...			*Ninth.*
Agents to ascertain and record in whom the property of Salt lands is vested, ...			*Tenth.*
What Lands to be considered as held by the officers of the Salt Department free of rent, under a perpetual tenure, and to be eventually liable to assessment by the revenue authorities, ...			*Eleventh*
What Lands to be considered as the property of Government, ...			*Twelfth.*
What Lands to be considered as belonging to individual proprietors, rents how to be paid, ...			*Thirteenth*
Salt Lands, how to be occupied by Officers of Salt Department, ...		X.	*First.*
Claims to Lands so occupied, how to be prosecuted and adjusted, ...			*Second.*
What course to be followed, if Land claimed by Zemindars, shall appear to the Collector to belong to Government, ...			*Third.*
Pending Claims, how to be adjusted, ...			*Fourth.*
Rent of Land occupied by Salt Department, when to cease, ...		XI.	
Cultivation of Salt Churs, without permission of Board of Customs, Salt and Opium, prohibited, ...		XII.	
Churs and Salt Lands not belonging to individuals, how to be held by the officers of the Salt Department.		XIII.	
Rules for settling the relative rights of Zemindars and Government in respect to Fuel Lands, ...		XIV.	*First.*
Where no specific engagement exists, the Salt Department shall be held to be entitled to free Fuel to the extent of the existing manufactories, from waste land within estates of which the owners receive remissions, ...			*Second.*
The above provision not to affect rights specifically reserved not to entitle the officers of Salt Department to prevent cultivation, ...			*Third.*
In what cases recourse shall be had to the proceeding specified in Section IV.			*Fourth.*
Declaration as to the extent of privilege secured to the Salt Department, by remissions granted on			account

	Regulation.	Section.	Clause.
account of collections made previously to the Bengal year 1188, in cases wherein further rents or remissions may have been granted, ...		XV.	
MAGISTRATES.			
Rules rescinded, ...	X.	II.	
Magistrates and Joint Magistrates empowered to tender a pardon to accomplices in certain crimes,		III.	*First.*
Such persons to be examined without oath, ...			*Second.*
Motives for tendering pardon to be recorded, and a copy of the proceeding to be sent to the Superintendant of Police, ...			*Third.*
When the tender of such pardon may be desirable, with a view to obtain the evidence of an accomplice, the previous sanction of the Superintendant of Police necessary, ...		III.	*Fourth.*
Copy of the examination, without oath of the accomplice, to be transmitted to the Superintendant of Police, ...			*Fifth.*
Caution to be observed in such cases by Magistrates, Joint Magistrates, and Superintendants of Police,		IV.	*First.*
The offer of a pardon not to be sanctioned in certain cases, ...			*Second.*
Improper exercise of the power conferred on Magistrates and joint Magistrates to be reported by the Superintendant of Police, ...			*Third.*
Judge of Circuit or Nizamut Adawlut, competent to direct the commitment of a person to whom pardon may have been tendered, if he shall not fulfil the conditions of the tender, ...		V.	*First.*
Or to direct the Magistrate or Joint Magistrate to tender a pardon, when they may judge it necessary, ...			*Second.*
Nizamut Adawlut may revise proceedings and annul the orders of Magistrates, Joint Magistrates and Superintendents of Police, when a pardon may have been improperly tendered, ...			*Third.*
Assistants to Magistrates not to exercise the powers conferred on Magistrates and Joint Magistrates, under this Regulation, ...		VI.	
REGISTERS.			
Registers may be empowered to investigate regular Suits arising in any portion of any district, in			

which

	Regulation.	Section.	Clause.
which he may exercise the powers of Joint Magistrate, ...	III.	II.	*First.*
Provisions in the existing Regulations applicable to such Suits, ...			*Second.*
Reports to be furnished by such Registers to the Judge of the Zillah or City, within whose jurisdiction the Suit may have originated.			*Third.*
REGISTER OF DEEDS.			
The office for the Registry of Deeds to be established at the Sudder Station of the Zillah or City Court, superintended by the Register. If there be more than one Register, by the Register employed at the Zillah Station. If the Register be prevented from performing this duty by sickness, &c. may appoint a Deputy, with approbation of the Judge. Deputy to be a Covenanted Servant and must take oath, ...	IV.	II.	
If Register, vested with Superintendance of his office, be absent from Sudder Station, and have not appointed a Deputy, the Judge authorized to appoint one, ...		III.	
Judge shall appoint a qualified person, being a Covenanted Servant, to act as Register of Deeds, when, from a vacancy in an office of Register, a Deputy cannot be appointed, ...		IV.	
If there be no qualified person at the Station, the Judge is authorized and required to perform the duty himself, ...		V.	
Registry of Deeds hitherto duly executed by other Covenanted Servant than the Register, with the permission of Judge, in the absence of Register, equally valid, as if executed by Register, ...		VI.	
Deputy or Acting Register to receive Fees, ...		VII.	
Fees to be carried to the credit of Government, when the Judge registers Deeds, after defraying the necessary expenses of the establishment, ...		VII.	
REVENUE DEFAULTERS.			
Clause First. Section XXVIII. Regulation V. 1812, rescinded, and the provisions which were annulled by that Clause, to be again in force, ...	XII.	II.	

SPIRITUOUS

SPIRITUOUS LIQUORS.	Regulation.	Section.	Clause.
The retail sale of Spirits, Wines, and all kinds of fermented Liquors, except under a Collector's License, declared to be illegal and subject to penalties.	VII.	II.	*First.*
Persons not being British born subjects, prohibited from constructing or working Distilleries, and from selling Spirits, Wines, &c. without a License.			*Second.*
British born subjects, prohibited from constructing or working a Distillery, at more than ten miles from Calcutta, and from retailing Spirits, Wines, &c. in any part of the country, without a License from the Collector of the district, ...			*Third.*
Such persons constructing or working a Distillery in the European manner, within the limits above specified, to continue subject to the rules contained in Regulation II. 1802. Proviso. ...			*Fourth.*
Distillers to pay the prescribed Still-head Duty to the Collector in charge of the Abkarry Mehal. Collectors, &c. authorized to exercise the powers vested by Regulation II. 1802, in Justices of the Peace.			*Fifth.*
Proviso, in cases where it may be deemed necessary to suspend the operation of particular rules: and power reserved to substitute such other rules as may, from time to time, appear expedient. ..			*Sixth.*
To what description of Spirits the rules in force relative to a drawback or exportation, are to be considered applicable.		III.	*First.*
Spirits manufactured within the foreign settlements prohibited from being carried out of the limits of such settlements, until the Still-head Duty shall have been paid.			*Second.*
Rate of Duty to be paid to Government, by persons receiving a License for the retail sale of Spirits manufactured at any European distillery.		IV.	*First.*
A retail Duty to be paid on all Spirits imported by sea.			*Second.*
And upon the retail sale of Wines, ...			*Third.*
Retailers of Wines or Spirits, previous to receiving a License to enter into engagements, and give security for paying the retail Duty.			
Penalty for any breach of such engagements, ...			*Fourth.*

Prohibition

	Regulation.	Section.	Clause.
Prohibition against the wholesale vend of Wines and Spirits beyond the limits of Calcutta, except by License. A fee to be paid for such License, ...	VII.	V.	*First.*
The sale of less than two gallons of Wines or Spirits to be considered as a retail sale, ...			*Second.*
License for the retail sale of Spirits manufactured at or beyond the boundaries of the Sudder Distilleries to be granted as heretofore—Proviso, ...		VI.	
Such parts of the Regulations in force as restrict the Revenue authorities, in regard to the period for granting Licenses for the manufacture and sale of Spirits, &c. rescinded, ...		VII.	*First.*
Licenses for the retail sale of Spirits, &c. to be granted for one year, unless otherwise specially ordered by Government or the Board of Revenue,			*Second.*
Power vested in the Board of Revenue to modify and alter the terms of Licenses and engagements as may, from time to time, appear expedient, ...			*Third.*
All Licenses declared liable to resumption. Proviso, allowing an appeal to the Board of Revenue in such cases: who may award a compensation to the party aggrieved, unless he has broken the peace, or violated any of the Regulations. Courts of Justice prohibited from interference. Fifteen days notice to be given in certain cases to the Collector before the year expires, or in failure, the License and engagement to remain in full force, ...			*Fourth.*
Board of Revenue declared competent to sanction the Grant of Leases of the duties leviable on the manufacture and sale of Spirits, &c. for such periods as may appear advisable, ...		VIII.	*First.*
The existing rules for the recovery of arrears, due by the venders, or manufacturers of Spirits, &c. declared equally applicable to the farmers of duties and their sureties. Proviso entitling the farmers of duties to enforce the payment of arrears due to them, ...			*Second.*
Licenses or Leases for more than five years, declared invalid, unless sanctioned by the Governor General in Council, ...		IX.	*First.*
Board of Revenue empowered to authorize manufactories of Putchwye and other Spirituous liquors, &c. to be established under the rules in force in any district subject to its authority.			

And

	Regulation.	Section.	Clause.
And to alter and amend such rules, when necessary, ...			*Third.*
Board of Revenue authorized to direct the discontinuance of established Sudder Distilleries, whenever such a measure shall be deemed expedient. Application of the general rules in such cases, ...			*Fourth.*
Board of Revenue empowered to fix the limits within which Spirits, manufactured at a Sudder Distillery, must be sold, ...			*Fifth.*
Penalty to which British born subjects are declared liable for retailing Spirits or Wines at no greater distance than ten miles from Calcutta, without a regular License for so doing, ...		X.	*First.*
The existing penal rules declared applicable to all persons, (British born and others,) who, without a License, shall retail Spirits or Wines at any place distant, more than ten miles from Calcutta. And to all persons not being British born, who, without a License, may retail Spirits at any place beyond the limits of Calcutta, ...			*Second.*
Penalty on persons conveying away foreign or other Spirits, not intended for private consumption, without a pass attesting the payment of the prescribed duties. Proviso, ...		XI.	
Certificates attesting the payment of the Still Head Duty to be granted by the Collector, for one year only. But an exchange Certificate for another year, may be granted on application. A fee to be paid on such renewal, ...		XII.	*First.*
Dealers in Spirits if desirous of dividing a dispatch of Spirits, entitled to receive parcel Certificates, on surrendering the original Certificate, and furnishing satisfactory information. A fee to be paid on such occasions, ...			*Second.*
To what penalties, persons in charge of Sudder Distilleries are subject, on being convicted of a fraudulent breach of trust, ...		XIII.	*First.*
Punishment to which Native Officers are subject, on being convicted of conniving at the establishment of unlicensed shops, ...			*Second.*
Informers entitled to a moiety of the fine on the conviction of a Native Officer. Penalty in such cases, where the conviction originates in malice, &c.		XIV.	

Churrus

	Regulation.	Section.	Clause.
Churrus allowed to be retailed under the same rules and restrictions as Gunja, &c.		XV.	
Punishment to which proprietors and managers of Land are declared liable, on conviction of conniving at the illicit manufacture or sale of Spirits, intoxicating drugs, &c., within their estates or farms.		XVI.	*Second.*
Such charges declared cognizable by the Collector, and to be investigated under the rules in force. Proviso against the issue of a warrant in such cases, ...			*Third.*
Further proviso as to the mode of proceeding in such cases, ...			*Fourth.*
Power reserved to Government for granting authority to Public Officers and others to seize contraband spirits, opium, &c., within certain limits, ...		XVII.	*First.*
Mode of proceeding to be observed on such occasions, ...			*Second.*
Penalty on persons concerned in encouraging or advising the illegal cultivation of the Poppy, ...		XVIII.	*First.*
Native Officers required to assist in preventing the above offence. Penalty in case of neglect of duty,			*Second.*
Similar penalty on Putwarees, ...			*Third.*
Proviso, in cases where the value of the forfeited opium may not amount to the full sum of the penalty incurred, ...			*Fourth.*
Penalty on persons purchasing, bargaining for, or encouraging the embezzlement of Opium through the medium of cultivators of the Poppy or those employed in the provision of Opium on account of Government. Proviso, in cases where the Opium illegally purchased or bargained for, shall not amount to the sum of one thousand and five hundred rupees, ...			*Fifth.*
Native Officers of Government required to suppress the illicit sale, purchase, and possession of Opium by every means in their power. Penalty on being convicted of connivance or neglect of duty, ...			*Sixth.*
Punishment for forcibly resisting a public officer employed in the seizure of contraband Opium, ...			*Seventh*
Officers how to proceed in cases where they may apprehend opposition, or resistance in making seizures of contraband Opium, &c.			*Eighth.*
Such seizures to be made at the sole risk and responsibility of the Officers seizing, ...			*Ninth.*

The

	Regulation	Section.	Clause.
The Opium Agents of Behar and Benares empowered to exercise the Judicial functions vested in the Collector of Revenue, by Regulation XIII. 1816, ...		XIX.	*First.*
Subject to the control of the Board of Customs, Salt and Opium, ...			*Second.*
Medical Officers when required by the Collectors and Agents, to regulate and class all confiscated Opium, under distinct heads, ...		XX.	
Opium Agents not entitled to any share of rewards, as hitherto, for Opium seized and confiscated by their Officers, or under their orders. Proviso, as to the discontinuance of rewards to other Officers, ...		XXI.	*First.*
Specification of rewards to be paid to informers, and Native officers concerned in the seizure of good Opium, ...			*Second.*
Rewards for the seizure of marketable Opium, ..			*Third.*
Ditto ditto ditto of inferior Opium, ...			*Fourth.*
In the foregoing cases, informers to receive a moiety, and Native officers a fourth of all fines, and of the proceeds of boats, carriages, cattle, &c. seized with contraband Opium. But if the seizure is effected by Native officers, without the intervention of an informer, such officer to receive three fourths of the fines and proceeds, ...			*Fifth.*
No reward to be given for the seizure of useless Opium, ...			*Sixth.*
Collectors, &c. how to proceed to compel payment of fines, under this Regulation, ...		XXII.	
Opium Agents and their Deputies empowered to punish their Native officers, &c. for neglect of duty, or acts of oppression, ...		XXIII	*First.*
And to recover balances due by Opium cultivators, &c. by a distraint and sale of lands, with such powers as are vested in the Collectors of Land Revenue, ...			*Second.*
Unlicensed persons residing in Calcutta, prohibited from having in their possession more than a pound of Foreign Opium, unless under a Certificate from the Secretary to the Board of Customs, Salt and Opium, under a certain penalty,		XXIV.	*First.*
What such Certificates are to contain, and by whom to be registered, ...			*Second.*

Rule

	Regulation	Section.	Clause.
Rule to be observed by persons applying for permission to export by Sea, Opium covered by the certificate. Penalty for infringement, ...			*Third.*
Certificates to be in force for one year only. But if produced before the expiration of the year, may be renewed at the discretion of the Board. Unrenewed Certificates, after the lapse of a year, to be considered null and void.			*Fourth.*
STAMP DUTIES.			
Water-mark paper, or paper of a value not exceeding four annas per piece, need not be authenticated,...	XVI.	II.	
Certain Provisions rescinded, ...		III.	
New Stamp Duties prescribed for certain deeds, instruments, and writings, ...		IV.	
Lands, how to be valued, ...		V.	
Penalty for employing paper, not bearing the prescribed Stamp, ...		VI.	*First.*
Or evading the rule, by executing deeds out of the provinces, ...			*Second.*
No deed executed in any place on the Continent of India, shall be received in any Court, unless written on paper bearing the prescribed stamp, ...			*Third.*
Foreign Bills of Exchange not to be negociated without payment of prescribed Stamp Duty, ...			*Fourth.*
Holders of Instruments written on unstamped Paper, on what conditions to get them duly stampt, If within thirty days—if after thirty days, ...			*Fifth.*
Penalty in case of the employment of paper stamped with too low a stamp, ...			*Sixth.*
Provision for cases of accident or inadvertence, ...			*Seventh*
Board authorized to cause a stamp to be impressed on deeds and instruments executed on unstamped paper, previously to the enactment of this Regulation, ...		VI.	*Eighth.*
Application in such cases, how to be made, ...			*Ninth.*
Penalty for filing, or recording papers not executed on paper bearing the prescribed stamp, ...		VII.	*First.*
Penalty for Vakeels and others preparing papers without the prescribed stamp, ...			*Second.*
No exception on account of over value, ...		VIII.	
Stamps to be stamped on such paper, and in such manner as Government directs, ...		IX.	*First.*
Board of Revenue to cause proper dies, &c., to be prepared, ...			*Second.*

Such

	Regulation.	Section.	Clause.
Such officers to be appointed to the management of Stamp concerns in each district, with such remunerations as Government may judge fit. Rules regarding appointment of Stamp Venders likewise modified. Appointment of Venders how to be made. Conditions of appointment, ...		X.	
Venders always to have stuck up, for general inspection, a copy of the Schedule of Duties, together with their respective Licenses, and further to notify their appointment as may be directed —Penalty for neglect, ...		XI.	*First.*
Stamp Venders to endorse paper sold by them —Penalty for neglect. Ditto for a false date, ...			*Second.*
Venders not to sell Stamps at an inadequate price —Penalty for neglect. Penalty for purchasing at an inadequate price, ...			*Third.*
Penalty for refusing or delaying to deliver paper, ...			*Fourth.*
No Vender to take more than the prescribed price of Stamp sold by him. Penalty for neglect of this rule, ...			*Fifth.*
Accounts to be kept by Venders. Venders regularly to pay money, received by them on account of Stamps, ...			*Sixth.*
Penalty for refusal, or neglect to produce accounts,			*Seventh*
Penalty for withholding accounts and store of paper, from the inspection of the Collector, ...			*Eighth.*
On resignation or dismission, paper and accounts to be delivered up, ...			*Ninth.*
Also on death of Vender, ...			*Tenth.*
In case of deficiency, Collector may proceed against parties, ...			*Eleventh.*
Collector may issue search warrant, ...			*Twelfth*
Penalty for filing or recording paper not duly endorsed. Proceeding to be followed in case of forged Stamp being filed, ...		XII.	*First.*
Persons discovering forged Stamps in their possession, how to proceed, ...			*Second.*
Decision of the Board regarding Penalties, in what cases to be final, ...		XIII.	*First.*
Penalties and balances due by Venders or distributors, how to be recovered, ...			*Second.*
Penalties, other than the above specified, how to be recovered—Power of remitting Penalties vested in the Revenue Boards, ...			*Third.*
Rewards to informers			*Fourth.*

Modification

	Regulation.	Section.	Clause.
Modification of the Rule regarding the transfer of Stamps by one individual to another. Individuals, how to transfer Stamps, ...		XIV.	
Individuals, on what terms to be supplied with Stamps for eventual use, ...		XV.	*First.*
Receipt to be produced to Superintendent of Stamps by persons wishing to have paper stamped, ...			*Second.*
Examination and authentication of Stamps delivered by the Superintendant to individuals, ...			*Third.*
Discount, in what cases and to what amount to be allowed, ...			*Fourth.*
Board may order Stamps to be furnished, on conditions above specified, to licensed Venders, ...			*Fifth.*
Penalty for stamping paper brought by individuals, without due Certificate. Also for granting a Certificate without full receipt of duty, ...			*Sixth.*
Penalty for procuring a Stamp to be improperly impressed, or Certificate granted, ...			*Seventh*
Stamps accidentally destroyed, how to be replaced,		XVI.	*First.*
Also soiled or spoiled Stamps, ...			*Second.*
Application in such cases, how to be preferred by the owner of the Stamps, ...			*Third.*
Restriction of above provision to cases in which the Stamp or Stamps destroyed or spoiled, may exceed in value ten rupees. Limitation to time of application, ...			*Fourth.*
Board, Collectors, and Superintendant of Stamps, authorized to administer oaths, ...		XVII.	
Venders to verify accounts on oath, when required,		XVIII.	
Modification of Regulation X. 1814, ...		XIX.	*First.*
Instruments and Wills relating to matters of or belonging to the Commercial Department, to be written on Stampt Paper of the same value as is prescribed for individuals, ...			*Second.*
SUDDER AMEENS.			
Parts of Regulation XXIII. 1814, and Regulation II. 1821, rescinded, ...	XIII.	II.	*First.*
Sudder Ameens to receive monthly allowances instead of fees, ...			*Second.*
Parts of Section II. Regulation XXIII. 1814, and Section IV. Regulation III. 1817, rescinded, ...		III.	*First.*
Stamp duties, in original suits and appeals, referred to the Sudder Ameens, how to be disposed of, when such suits are adjusted by Razee Nameh, ...			*Second.*

	Regulation.	Section.	Clause.
A monthly statement of Stamp Duty, receivable by the parties entitled thereto, to be furnished by the Sudder Ameen, ...			*Third.*
Part of Section LXVIII. Regulation XXIII. 1814, and Section VI. Regulation XXVIII. 1814, rescinded,		IV.	*First.*
The Judge may refer suits, in *formâ pauperis*, to a Sudder Ameen, ...			*Second.*
Certain Provisions in Regulation XXVIII. 1814, declared applicable to parties in appealed cases referred for trial to Sudder Ameens—Exception, ...			*Third.*
Provision in Section V. of the same Regulation, extended to Sudder Ameens. But no final order to be passed for admission of a Pauper Suit, without the sanction of the Judge or Register, ...			*Fourth.*
The whole of Clauses II. III. IV. V. and VI. of Section LXXVI. Regulation XXIII. 1814, still in force, except Section V. which is rescinded, with Proviso, ...		V.	
SUMMARY SUITS.			
Parts of former Regulations modified, ...	XIV.	II.	*First.*
A Judge referring to a Collector, Summary Suits under Section XIII. Regulation XIX. 1817, shall issue a precept, requiring him to try and decide the Suit within a limited period, or assign a sufficient reason, ...			*Second.*
In the event of considerable delay, the Judge may recal Suits from the Collector, ...			*Third.*
The Collectors are competent, summarily, to determine Suits referred to them under the foregoing Section, ...		III.	
The Collector, how to be guided in the decision of such Suits. The Collector invested with the same power as the Civil Courts, in issuing all process, except the execution of decrees, ...		IV.	
All decisions to be notified by the Collector to the Judge of the Court, by which the Suit was referred. The Collector's award to be executed by the Judge,		V	
The parties are competent to appoint any Vakeel or representative they may think proper. The remuneration of such Vakeel to be adjusted between him and his constituent, ...		VI.	

No

	Regulation.	Section.	Clause.
No other pleadings requisite than a plaint and answer, ...	XIV.	VII.	
Pleadings, &c. to be written on stampt paper of the value of eight annas. No fees to be taken on the exhibits, ...		VIII.	
Collectors competent to determine such Suits in any part of the district, provided the proceedings be held in public, ...		IX.	
A regular Suit may notwithstanding be preferred in the Zillah or City Court.		X.	
TOLLS.			
Regulation IV. 1818, rescinded, ...			
Tolls, at specified rates, to be levied by an officer of Government under the controul of the Board of Revenue on all boats, timbers, rafts, floats, and the like, passing through the Bhagaruttee, Jellinghee, Issamutty, Mata-Bhanga, and Choornee rivers, ...	VIII.	II.	*Second.*
Collectors of Tolls to be assisted by establishments of Native officers, and to exercise powers similar to the Collectors of Land Revenue, in the appointment, removal, and punishment of their subordinate officers, ...		III.	
Tolls to be levied on all boats entering or returning by the rivers specified, and whether laden with imported or exported goods, ...		IV.	
Rule to be observed in determining the tonnage of boats, &c. on which the authorized tolls are to be levied, ...		V.	
Boats not exceeding fifty maunds to be rated as twenty-five maunds burthen, and pay toll accordingly, ...			*First.*
Boats above fifty and exceeding seventy-five maunds, to be rated at fifty, and pay the prescribed toll,...			*Second.*
Boats above seventy-five and not exceeding one hundred maunds, to pay toll for seventy-five maunds, and so on progressively. On the tonnage exceeding five hundred maunds, the allowance to extend to fifty maunds, and on boats of above one thousand maunds, the toll on one hundred maunds to be relinquished, ...			*Third.*
No fleet of boats or rafts to float at one time more than twenty timbers, through any of the rivers specifically named, ...		VI.	*First.*

Nor

	Regulation	Section.	Clause.
Nor more than twelve timbers by a single boat or raft. Nor more than six timbers between the 1st December and the 1st of July, ...			*Second.*
Penalty for infringing any of the above rules. Collector empowered, in certain cases, to detain boats, rafts, &c. until the toll or penalty demandable thereon, shall have been liquidated, ...			*Third.*
Collector in such cases to report to the Board of Revenue, and notify the sale of the articles by proclamation, after an interval of fifteen days. No sale to take place till authorized by the Board of Revenue, ...			*Fourth.*
Penalty for attempting to pass boats, &c. free of toll, after having been boarded by the Collector's toll boat, ...		VII.	
Rules for defining the duties and powers to be exercised by the Supervisor of rivers. Proviso for investing Collectors, with similar powers, ...		VIII.	*First.*
Supervisor to act under orders from the Board of Revenue, for the Lower Provinces, unless otherwise directed by Government, ...			*Second.*
And empowered to cut down and remove trees, sunken boats, rafts of timber and other obstructions to the navigation of the rivers, ...			*Third.*
How such trees, &c. are to be disposed of, ...			*Fourth.*
Cases in which before the removal of trees, &c. the Supervisor is to serve the Proprietor with a Notice, or to require the removal by a Notification, ...			*Fifth.*
Owners neglecting to remove trees, &c. after due notice given, the same to be removed and disposed of by the Supervisor, ...			*Sixth.*
Supervisor may remove trees, &c. in cases of emergency, without giving previous notice, ...			
Proviso as to the mode of proceeding in such cases,			*Seventh*
Provision under which buildings, trees, &c. contiguous to rivers may be purchased on account of Government, ...			*Eighth.*
The proceeds of boats, trees, &c. sold under Clause IV. Section VIII. to be paid to the owner, ...		IX.	*First.*
Or the owner may receive such boats, trees, &c. on paying Salvage to the Supervisor, within such period as the Board of Revenue may fix. Proviso empowering the Supervisor to sell the property, in case reimbursement be not made, ...			*Second.*

All

	Regulation.	Section.	Clause.
All bandells or contrivances for fishing, tending to obstruct navigation of rivers, prohibited. Supervisor, how to proceed on the removal of, or prohibiting the fixing of bandells, &c. Punishment in case of opposition to the Supervisor's orders. Further punishment in cases where offenders have committed violence, or have been guilty of breaking the peace, ...		X.	
Punishment to which persons are declared liable for opposing or resisting the Collector or Supervisor, or preventing them or any of their officers from fulfilling the duties assigned to them, ...		XI.	*First.*
Collector or Supervisor, how to proceed in cases when forcible resistance is apprehended. Proviso as to the punishment to which proprietors and farmers of land are liable for conniving at resistance to the Collector, &c.			*Second.*
Collector or Supervisor, &c. empowered to seize and deliver over to the Police officers, all offenders described in the two preceding Sections. Supervisor, &c. to give a written statement, descriptive of the offence and offender, and to engage to furnish the Magistrate, with a full report of the case. Proviso for admitting the accused to bail, if the offence charged be of a b[illegible]ble nature, ...		XII.	
Magistrates not to detain persons in custody beyond ten days, if the Supervisor has not previously followed up his complaint in the prescribed manner,		XIII.	
Persons conceiving themselves aggrieved by any order of the Board, or by any act of the Supervisor, are allowed the option of instituting a Suit in the Dewanny Adawlut against one or all of the parties. Judge, how to proceed in such cases. Proviso against the receipt of Suits when the Supervisor may not have exceeded his authority. Further proviso, in cases where valuable trees are cut down without any reasonable causes. Plaintiff to be nonsuited with costs, if it be proved, that the Collector or Supervisor has tendered adequate indemnification, ...		XIV.	
The Supervisor authorized to employ the Vakeel of Government in the conduct of all criminal prosecutions and civil actions instituted under the provisions of this Regulation. Stamp paper in			

such

	Regulation.	Section.	Clause.
such cases to be supplied on the Supervisor's application, ...		XV.	
ZILLAH JUDGES AND MAGISTRATES.			
Judges and Magistrates empowered to depute their Registers or Assistants to conduct investigations, within their respective jurisdictions, regarding boundary disputes, and to furnish them with suitable instructions, ...	XI.	II.	
Judges and Magistrates may determine what proportion of the deputation charges, shall be paid by the respective parties, ...		III.	
All deputations to be reported to the Secretary to Government in the Judicial Department, ...		IV.	
Similar reports, together with the Judge or Magistrate's proceeding to be communicated to the Provincial Court of the division. Who may revoke the deputation, if it shall be deemed an unnecessary or inexpedient measure. In such cases the Court's proceedings to be transmitted to the Sudder Dewanny or Nizamut Adawlut, for final orders, ...		V.	
Judges and Magistrates to depute their Registers only in cases of urgency, ...			
The parties concerned, or their authorized Agent, and not the established pleaders of the Register's Court, to attend the Register in making local investigations, ...			

A. D. 1825. REGULATION I.

A REGULATION *for declaring the Judicial Officers, competent to superintend the execution of their own process in certain cases; and for extending to Officers intrusted with the execution of a Magistrate's Warrant, or other criminal process, the powers vested in Police Officers, by certain Provisions in Regulation XX.* 1817.—*Passed by the Governor General in Council on the* 13*th January* 1825, *corresponding with the* 2*d Maug* 1231, *Bengal Era; the* 9*th Maug* 1232, *Fussily; the* 3*d Maug* 1232, *Willaity; the* 9*th Maug* 1881, *Sumbut, and the* 22*d Jummadi ulawal* 1240, *Higeree.*

WHEREAS doubts have been entertained whether a Judge, Magistrate, or other European Public Officer, authorized to issue process of arrest, or other judicial process, is

Preamble.

is, under any circumstances, competent to attend in person, the execution of such process; as well as whether the Officers charged with the execution of a Warrant, bearing the Seal and Signature of a Magistrate, in criminal cases, are competent to exercise the powers vested in Officers of the Police, charged with the execution of a Warrant of arrest, issued by a Police Darogah, or other Police Officer, under the Provisions of Section XXV. Regulation XX. 1817; and it is desirable that all ground of doubt, as to the legal powers of the Public Officers, in such cases, should be removed by an express enactment, on the points referred to; the Governor General in Council has passed the following Rules to be in force, as soon as promulgated, throughout the Provinces, immediately subject to the Presidency of Fort William.

Judicial European Officers empowered to Superintend in person the execution of their own process, and to adopt such legal measures on the occasion as may appear necessary.

II. Whenever the Judge or Register of a Civil Court, or a Magistrate or Joint Magistrate, or any other European Public Officer, authorized by the Regulations in force to issue process of arrest, or other Judicial process, civil or criminal, upon the person or property of Individuals, amenable to their respective jurisdictions, may, for any special reason, deem it necessary to be personally present at the execution of such process; and to see that the same be duly executed, in the manner prescribed by the Regulations; it shall be competent to the Public Officer, who may have issued the process, to attend personally for the purpose above mentioned; and to adopt or direct any legal measures that may be necessary for the due execution thereof.

The powers vested by the existing Regulations in Police Officers for the service of process under

III. *First.* The powers vested in Officers of Police, by the Fifth and Sixth Clauses of Section XXV. Regulation XX. 1817, or by any other Regulation in force, for the service

and

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and execution of Warrants, or other process of arrest, in serious criminal cases, under the Seal and Signature of a Police Darogah, or other Officer of the Police, shall be held equally applicable to all Officers intrusted with the execution of a Warrant, or other process of arrest, in criminal cases, bearing the Seal and Signature of a Magistrate, Joint Magistrate, or any Public Officer empowered to act as Magistrate, whether the person to whom the Warrant is addressed be an Officer of the Police, or otherwise.

the Seal and Signature of Police Darogahs declared applicable to all Officers intrusted with the execution of process in Criminal Cases, under the Seal and Signature of Judicial European Officers.

Second. The Seventh Clause of the Section above mentioned, whereby it is declared that any wilful abuse, and perversion of the powers vested, by the preceding Clauses, in the Police Officers, for ends of Public Justice, will subject them, on conviction before the Magistrate, or Court of Circuit, to exemplary punishment, according to the circumstances of the case, besides immediate dismission from Office, is also hereby made applicable to all persons, whether Police Officers or others, who may be employed to execute a Warrant or other process of arrest, issued by a Magistrate, Joint Magistrate, or other Public Officer empowered to act as Magistrate; and may be guilty of any wilful abuse and perversion of the powers vested in them by the present Regulation.

The punishment prescribed by Clause VII. Section XXV. Regulation XX. 1817, in cases of abuse of official duty declared applicable to all Police Officers, and others employed to execute a Warrant or other process.

A. D. 1825. REGULATION II.

A REGULATION *for amending the Rules in force, relative to applications for a review of Judgment in regular original suits and appeals; and for restricting the admission of special or second appeals, by the Provincial Courts, and Court of Sudder Dewanny Adawlut:*—PASSED *by the Governor General in Council on the* 24*th March* 1825, *corresponding with the* 12*th Chyte* 1231 *Bengal Era; the* 20*th Chyte* 1232 *Fussily; the* 13*th Chyte* 1232 *Willaiaty; the* 5*th Chyte* 1882 *Sumbut; and the* 3*d Shaban* 1240 *Higeree.*

WHEREAS the small expense attending petitions for a review of Judgment, in regular original suits and appeals, decided by the Zillah, City, and Provincial Courts, or by the Court

Preamble.

Court of Sudder Dewanny Adawlut, under the Rules prescribed for such applications in Section IV. Regulation XXVI. 1814, has been found to encourage numerous petitions of this description, without sufficient grounds for preferring the same, to the serious hindrance of other business depending before the Civil Courts above mentioned; and whereas the extension given by the second Clause of Section II. Regulation IX. 1819, to the admission of special or second appeals, by the Provincial Courts and Court of Sudder Dewanny Adawlut, has been productive of a large increase of such appeals; the numerous petitions for which, whether ultimately rejected or admitted, occupy more time than can be applied to them, without impeding the trial and decision of other more important causes; whilst at the same time, such applications, upon insufficient grounds, are encouraged by the indefinite terms of the Clause adverted to; which authorize the admission of a second appeal "whenever there may "appear strong probable ground, from whatever cause, to "presume a failure of justice;" with a view therefore to provide against the continuance of these impediments to the general administration of Civil Justice, in the Superior Courts, as well as to relieve Individuals from the expense of fruitless applications in Cases wherein there may be no certain and sufficient grounds for a further appeal in decided Causes; the Governor General in Council has passed the following amended Rules, to be in force from the date of their promulgation throughout the Provinces immediately subject to this presidency.

Such part of the Second Clause of Section IV. Regulation XXVI. 1814, as directs that Petitions for a review of judgment

II. *First.* Such part of the second Clause of Section IV. Regulation XXVI. 1814, as provides that the petition for a review

review of Judgment, in the Cases therein mentioned, shall be written on Stampt paper of the value prescribed in Section XVIII. Regulation I. 1814, shall after the promulgation of the present Regulation be considered applicable only to petitions for a review of Judgment, which may be presented, as required by the Clause above noticed, within the period of three Calender Months from the delivery or tender of the Decree. Whenever the petition for a review of Judgment may be presented after that period, it shall be written upon the Stampt paper prescribed in Section XIII. Regulation I. 1814, with reference to the amount or value, of the property adjudged against the party desiring the revision; in like manner as if a regular appeal were preferred from such judgment; unless the party desiring the review be a Pauper, in which case the provisions relative to Pauper appellants, contained in Regulation XXVIII. 1814, shall be held applicable.

ment shall be written on Stampt paper of a prescribed value declared applicable only to Petitions presented within a specified period.

After which period they are to be written on the Stampt paper, prescribed by Section XIII. Regulation I. 1814, but in case the petitioner be a Pauper, the provisions of Regulation XXVIII. 1814, are declared applicable.

Second. If the petition for a review of judgment, presented after the promulgation of this Regulation, shall be rejected by the Court receiving the same, as not containing sufficient grounds for the review desired, the petitioner shall not be entitled to receive back the amount of the Stamp duty, paid for the paper on which the petition may have been written; but in the event of its having been written on the Stampt paper prescribed in Section XIII. Regulation I. 1814, the Court, rejecting the petition, is vested with a discretionary authority (as in the case of special appeals, under the fifth clause of Section II. Regulation XXVI. 1814,) in any particular instance, wherein the forfeiture of the entire Stamp duty may appear excessive on due consideration of the circumstances of the case, to order the refund of any portion

Petitioners whose Petitions may be rejected not entitled to receive back the amount of the prescribed Stampt paper duty, but the Courts empowered in special cases to order a refund of any portion not exceeding three-fourths of it.

portion thereof, not exceeding three-fourths of the total amount, from the public Treasury.

Courts empowered to impose a proportionate fine in cases where Petitions are found to be groundless or litigious.

Third. When the rejected petition may have been written on the Stampt paper prescribed in Section XVIII. Regulation I. 1814, and shall be found by the Court rejecting it, groundless and litigious; so as to merit a fine, in addition to the small Stamp duty paid in conformity with that Section, the Court is authorized and required (as in the Case of litigious Summary appeals, by the tenth Clause of Section III. Regulation XXVI. 1814,) to impose such fine as may be proportionate to the circumstances of the Case, and the condition of the party, not exceeding the amount of the Stamp duty which would have been payable if the petition had been written on the Stampt paper prescribed in Section XIII. Regulation I. 1814.

Courts after reviewing the Case of a Petitioner to pass such Orders relative to the Stamp duty paid by him as may appear just and equitable.

Fourth. When the petition for a review of judgment may be admitted, the Court reviewing the case, will, on deciding it, pass such order relative to the Stamp duty paid by the petitioner, as may appear just and proper; whether for his reimbursement by the opposite party as part of the Costs of Suit; or for the refund of any portion of it, not exceeding three-fourths, by Government.

Additional Rules relative to the consideration of petitions from review of Judgment in regular original suits and appeals

III. In addition to the Rules contained in Section IV. of Regulation XXVI. 1814, relative to petitions for a review of judgment in regular original suits and appeals, decided by the Zillah, City, and Provincial Courts, or by the Court of Sudder Dewanny Adawlut, it is hereby provided that whenever the Judge or Judges, who may have passed the Decree

or

or if the Decree have been passed by two or more Judges, when any of such Judges shall continue attached to the Court, at the time when the petition for a review is received, and shall not be precluded, by absence or other cause, for a period of Six Months after the receipt of the petition from considering and recording his order or opinion upon the same, it shall not be competent to any other Judge or Judges of the same Court, to enter upon a consideration of the merits of the petition, and record an order or opinion thereupon, it being the obvious intention of the Rules referred to, that application for a review of judgment made in pursuance thereof, should, as far as practicable, be received and disposed of by the Judge or Judges who may have passed the decision; subject to the regular course of appeal, if the case be appealable to a superior Court. Provided however, that this restriction shall not be considered applicable to cases not open to a further appeal, in which a Single Judge, whether of a Provincial Court or of the Court of Sudder Dewanny Adawlut, may appear, on the face of the Decree, to have exceeded the powers vested in him by the Regulations. In such cases the decree being imperfect, and irregular, it shall be competent to a majority of the Judges of the Provincial Court, or of the Court of Sudder Dewanny Adawlut, concurring in opinion as to such irregularity, to proceed upon the petition for a review, in the manner prescribed by Section IV. Regulation XXVI. 1814, and by the present Regulation.

Such petitions in all practicable Cases to be received and disposed of by the Judge who passed the decision, subject to the regular course of appeal.

Whose restriction however declared inapplicable to Cases where the Judge in passing a decision may have exceeded the powers vested in him.

Rule of proceeding to be observed by the Judges in correcting such irregularities.

IV. *First.* The Second Clause of Section II. Regulation IX. 1819, whereby the Rules before in force for the admission of special or second appeals by the Provincial Courts and Court

Clause Second, Section II. Regulation IX. 1819, rescinded.

Court of Sudder Dewanny Adawlut, were extended, is hereby rescinded.

By what Rules the Sudder Dewanny Adawlut and Provincial Courts are hereafter to be guided in admitting second or special appeals.

Second. After the promulgation of this Regulation the Provincial Courts, and Court of Sudder Dewanny Adawlut, shall be guided, in their admission of special or second appeals by the Rules contained in Section II. Regulation XXVI. 1814; Section VII. Regulation XIX. 1817; and Sections III. IV. and V. of Regulation IX. 1819.

The provisions of Regulation XXVIII. 1814, extended to the admission of such second or special appeals in formâ pauperis as may be hereafter deemed admissible under the Rules in force.

V. Regulation XXVIII. 1814, relative to Paupers, not containing any specific provision respecting Pauper Appellants or Respondents in second or special appeals, it is hereby declared that the Provisions in that Regulation respecting appeals *in formâ Pauperis* from decisions passed in original suits, shall, after the promulgation of the present Regulation, be considered applicable to any second or special appeals which may be preferred *in formâ Pauperis;* and which may be hereafter deemed admissible under the Rules specified in the preceding Section.

A. D. 1825. REGULATION III.

A REGULATION *for empowering the Courts of Circuit to pass Sentence in certain cases of Robbery, without reference to the Court of Nizamut Adawlut:*—PASSED *by the Governor General in Council on the 24th March* 1825, *corresponding with the* 12*th Chyte* 1231 *Bengal era; the* 20*th Chyte* 1232 *Fasly; the* 13*th Chyte* 1232 *Willaity; the* 5*th Chyte* 1882 *Sumbut, and the* 3*d Shaban* 1240 *Higeree.*

WHEREAS under the Regulations in force the trials of all persons convicted before the Courts of Circuit of the crime of robbery by open violence, as defined in Section III. Regulation LIII. 1803, are referrible to the Court of Nizamut Adawlut, and whereas it will tend to relieve that Court from a part of the numerous Trials now referred to it, Preamble.

and

and at the same time expedite the administration of Criminal Justice in such cases, if the Courts of Circuit are empowered to pass sentence, when the robbery may not have been committed by a Gang of Armed persons, or may not have been attended with Murder or other aggravating act of criminality, such as to require a sentence of punishment exceeding that which the Courts of Circuit are competent to adjudge in other cases viz. thirty-nine stripes with a Corah, and imprisonment with hard labour, in banishment for fourteen years; the Governor General in Council has enacted the following Rules to be in force as soon as promulgated throughout the Provinces under this Presidency.

Part of Section VIII Regulation XVII. 1817, modified.

II. So much of Section VIII. Regulation XVII. 1817, and of the preceding Regulations therein referred to, or of any other Regulation in force as requires that the Courts of Circuit shall in all cases of conviction of the crime of Robbery by open violence, as defined in the first clause of Section III. Regulation LIII. 1803, refer the trial of the Prisoner or Prisoners so convicted for the final sentence of the Court of Nizamut Adawlut, is hereby modified as stated in the following Section.

Courts of Circuit empowered to pass final Sentence in certain cases of robbery, without a reference to the Court of Nizamut Adawlut.

III. In cases of conviction before a Court of Circuit of the crime of Robbery by open violence, as defined in Section III. Regulation LIII. 1803, or of an attempt to commit the same; if the Robbery shall not have been committed, or attempted by a gang of two or more Armed persons; and shall not have been accompanied with Murder or with an attempt to commit murder, whether by wounding, burning, strangling, poisoning, drowning, throwing into a well or by

any

any other means; nor have been accompanied with wounding, burning, or other corporal injury to any person or persons, in such a degree as to endanger life, nor have been attended with any other aggravating act of criminality such as may appear to the Judge of Circuit, before whom the trial is held, to merit, and call for a more severe punishment than thirty-nine stripes with a Corah, and imprisonment with hard labour for fourteen years, in banishment from the District where the Prisoner may have resided, the Judge of Circuit, concurring with his Law Officer in the conviction of the Prisoner or Prisoners is authorized, without reference to the Nizamut Adawlut as required by the Sixth Clause of Section VIII. Regulation XVII. 1817, to pass such Sentence as he may deem adequate to the offence, on due consideration of all the circumstances of the case; not exceeding the number of stripes and term of imprisonment with hard labour in banishment, above specified.

A. D. 1825. REGULATION IV.

A REGULATION *for declaring the Magistrates and Criminal Courts empowered to require Recognizances, and Security for keeping the Peace, in certain cases; and for explaining some of the provisions contained in Regulation VIII.* 1818, *relative to Security for good behaviour.*—PASSED *by the Governor General in Council on the 24th March* 1825, *corresponding with the 12th Chyte* 1231 *Bengal era; the 20th Chyte* 1232 *Fusly; the 13th Chyte* 1232 *Willaity; the 5th Chyte* 1882 *Sumbut, and the 3d Shaban* 1240 *Higeree.*

WHEREAS the existing Regulations contain no express provision for empowering the Zillah and City Magistrates, and Joint Magistrates, to take Mochulkas, or penal recognizances for the maintenance of the peace in their respective Preamble.

respective jurisdictions, although it has been the established usage to require such in many instances; nor do the Regulations in force expressly sanction the requisition of security to keep the peace, except from persons charged with criminal offences, whilst the charge is under examination; and whereas the rules contained in Regulation VIII. 1818, respecting security for good behaviour, have been found in some instances to require explanation; with a view to provide for such cases, and to declare the powers of the Magistrates, and Criminal Courts in those before referred to, the Governor General in Council has enacted the following Rules, to be in force, from the time of their promulgation, throughout all the Provinces immediately subject to the Presidency of Fort William.

Criminal Courts may, if they think proper take Mochulkas or penal recognizance from Persons convicted before them, to keep the peace during a certain period.

II. *First.* Whenever a person, charged with a serious affray, assault, or other violent breach of the peace, or with causing, aiding, or abetting the same, or with assembling armed men, or taking other unlawful measures, with the evident intention of committing the same, shall be convicted of such charge, before any Criminal Court by which the offence may be cognizable; and the Court by which a final sentence or order in the case may be passed, shall be of opinion that it is just and necessary to require a Mochulka, or penal recognizance, for keeping the peace, with or without, security for the same purpose, from the person so convicted, it shall be competent to the Court, passing the final sentence, or order, in such cases, to direct that the person so convicted be required to execute a Mochulka, or formal engagement, in a sum proportionate to the party's condition in life, and the circumstances of the case, for keeping the peace, during

such

such period as it may appear proper to fix in each instance; not exceeding one year, from the time of the prisoner's discharge if the sentence or order be passed by a Magistrate, Joint Magistrate, or other Officer exercising the functions of a Magistrate; or three years if the sentence or final order, be passed by a Court of Circuit, or the Court of Nizamut Adawlut.

Security to be taken in addition to the Mochulkas to keep the peace in cases of aggravated nature.

Second. In cases of an aggravated nature, wherein it may appear necessary to require Security for keeping the peace in addition to the Mochulka of the party, it shall also be competent to the Court passing the final sentence, or order, to direct the same; and to fix the amount of the Security Bond (which should never be excessive, and should in all cases be such as it would be proper to enforce, in the event of a breach of the engagement,) to be executed by the Surety or Sureties; with a provision, that if the same be not given, the party required to find the Security shall be kept in custody for any time not exceeding the period specified in the preceding clause, according as the order may be passed by a Magistrate, or Court of Circuit; or by the Court of Nizamut Adawlut.

Nature of the Security Bond.

The provisions of Sections V. VI. and VII. of Regulation VIII. 1818, to be applicable to all prisoners confined on requisition of Security for keeping the peace under this Regulation and to the Sureties for such persons.

III. The Provisions contained in Sections V. VI. and VII. of Regulation VIII. 1818, shall be considered applicable to all prisoners confined on requisition of Security for keeping the peace, under the present Regulation; and to the Sureties for such persons.

Magistrates and Joint Magistrates not precluded by any Regulations from taking Mochulkas or penal

IV. Nothing in Regulation VIII. 1818, or in any other Regulation in force shall be construed to preclude the Zillah and

penal recognizances for the maintenance of the peace, although the parties may not have been convicted of any specific offence.

and City Magistrates, or Joint Magistrates, from taking Mochulkas, or penal recognizances, according to established usage, in all cases wherein it may appear just and necessary to require the same, for the maintenance of the peace, in their respective Jurisdictions; although the parties bound in such recognizance, may not have been convicted of any specific offence; provided, that the amount of the recognizance in all such cases, shall be proportionate to the condition in life of the person required to execute the same; and shall, in no instance without conviction of a specific charge, exceed the Sum of two hundred Sicca Rupees. Provided also that the proceedings of the Magistrate, or Joint Magistrate, in all such cases, shall be open to the revision of the Court of Circuit, at the next ensuing session of Jail delivery; in the event of any petition complaining of, or objecting to, the order of the Magistrate, or Joint Magistrate being presented to that Court.

Proviso.—That the amount of the recognizance shall be proportionate to the condition in life of the person required to execute the same.

Proviso.—The Proceedings in all such cases to be open to the revision of the Courts of Circuit at the next ensuing session on presentation of any petition of complaint.

Explanation of some of the provisions of Regulation VIII. 1818.

V. In explanation of the Rule contained in the first Clause of Section VIII. Regulation VIII. 1818, which directs that whenever the Magistrates, under the authority vested in them by the Regulations, may require Security for the good behaviour of a Prisoner, they shall (in all cases in which they may judge it safe so to do) provide in their order, for the release of the prisoner, at the end of a definite period, not exceeding a twelve month; it is hereby further provided, that the period to be fixed for the responsibility of the Sureties, in such cases, shall correspond with the term limited by the Magistrate's order, for the prisoner's detention in the event of his not furnishing the required Security.

A. D. 1825. REGULATION V.

A REGULATION *for removing certain doubts as to the legality of an union of the powers of Judge and Collector in the same individual:—* PASSED *by the Governor General in Council on the 4th April* 1825, *corresponding with the* 23*d Cheyte* 1231 *Bengal Era; the* 1*st Bysaak* 1232 *Fussily; the* 24*th Cheyte* 1232 *Willaity; the* 1*st Bysaak* 1882 *Sumbut; and the* 14*th Shabaan* 1240 *Higeree.*

Preamble.

WHEREAS it has occasionally been found necessary to place the charge of Collectorships or of portions of Collectorships in the hands of Zilla and City Judges or of Registers of the Civil Courts, and it may from time to time be hereafter found necessary to depute or employ Officers vested with the united powers of Judge and Collector in the administration of the affairs of particular districts, or in the adjustment of boundaries, or in the settlement of tracts occupied by peculiar tribes or classes of people, or in the execution of other special measures: And whereas doubts have

have arisen as to the legality of such an union of authority, the Governor General in Council, with a view of removing such doubts, has been pleased to declare and to enact as follows:

The Official Acts of all public Officers who under competent authority have heretofore exercised the united powers of Judge and Collector, or Register and Collector, declared to be legal and valid.

II. It is hereby declared that the official acts of all public Officers who may have exercised under the sanction and authority of Government, or under the provisions of Regulation IV. 1821, the united powers of Judge and Collector, or of Register and Collector, shall be deemed and held to be and to have been to all intents and purposes as legal and valid as they would have been, had they been performed by Officers holding respectively the Office of Judge or Register only, or the Office of Collector only.

Power reserved to the Governor General in Council to vest the whole or any portion of the jurisdiction of a Judge or a Collector of Revenue in the hands of the same Officer.

III. *First.* It shall be competent to the Governor General in Council to vest the whole or any portion of the jurisdiction and powers of a Civil Judge and of a Collector of Revenue in the hands of the same officer whenever, and so long as such an arrangement may, for special purposes, appear expedient.

Proviso—precluding a Judge in such cases from trying claims preferred by Individuals for Acts done by him in his capacity of Collector.

Second. Provided that in all such cases, the Judge shall be precluded from trying and determining in his Civil Court, any claims which may be preferred by individuals for acts done by him in his official capacity of Collector, but such claims shall, as already provided for by the Second Clause of Section VI. Regulation IV. 1821, be cognizable in the Provincial Court of the division, and not in the Zillah or City Court.

Such claims to be cognizable by the Provincial Court of the division under the Rules in force.

A. D. 1825. REGULATION VI.

A REGULATION *for rendering more effectual the Rules in force, relative to supplies and preparations for Troops, proceeding through the British Territories:*—PASSED *by the Governor General in Council on the 4th April* 1825, *corresponding with the 23d Cheyte* 1231 *Bengal Era; the 1st Bysaak* 1232 *Fussily; the 24th Cheyte* 1232 *Willaity; the 1st Bysaak* 1882 *Sumbut, and the 14th Shabaan* 1240 *Higeree.*

WHEREAS it is enacted in the First Clause of Section III. Regulation XI. 1806, that on receiving the notification mentioned in the preceding Section, relative to a Body of Troops about to proceed, by land or by water, through any part of the Company's Territories, the Collector of the District shall immediately issue the necessary orders to the Landholders, Farmers, Tehsildars, or other persons in charge of the lands, through which the Troops are to pass, for providing

Preamble.

providing the supplies required; and for making any requisite preparations of boats, or temporary bridges, or otherwise, for enabling the Troops to cross such Rivers, or Nullahs, as may intersect their march, without impediment or delay; it being, at the same time, further directed, in the Second Clause of the Section referred to, that the supplies so furnished, shall be paid for by the persons receiving the same, at the current bazar prices of the place at which they may be provided; and that the expense incurred for crossing the Troops and their baggage, over Rivers or Nullahs, after being duly ascertained, will be paid by Government; and whereas experience has shewn the necessity of enabling the Collectors, or other Public Officers acting in that capacity, to enforce their orders in the cases above mentioned, by imposing a fine upon any Landholder, Tehsildar, or other person in the possession or management of land, who after receiving the requisition issued in pursuance of the Section above cited, may be proved to have wilfully disobeyed or neglected the same; the Governor General in Council has therefore enacted the following Rules, to be in force, as soon as promulgated in all the Provinces immediately subject to the Presidency of Fort William.

Zumeendars having been warned by the Collector to provide supplies for Troops.

II. Any Landholder, Farmer, Tehsildar, or other person in the possession or management of land, who may have been duly required by a Collector of the land revenue (or any Public Officer acting in that capacity) in pursuance of Section III. Regulation XI. 1806, to provide supplies for a body of Troops, about to proceed by land or water, through any part of the British Territories; or to make preparations of boats

Or to provide Boats, &c. for crossing nullahs.

boats, temporary bridges, or otherwise, for enabling the Troops to cross Rivers, or Nullahs, intersecting their march; and after the receipt of such requisition, shall wilfully disobey or neglect the same; or shall, without sufficient cause, fail to exert himself for the due execution of the duty so assigned to him; shall, on proof of such failure, neglect, or disobedience to the satisfaction of the Collector (or other Officer acting in that capacity) by whom the order may have been issued, or of his successor in the same office, be liable to a fine proportionate to the defaulter's condition in life, and the circumstances of the case, in such amount as the Collector, or other Officer, with due regard to these considerations, may judge it proper to impose; so that the fine shall not in any case, exceed the sum of one thousand Sicca Rupees.

Shall on proof of neglect or disobedience be punishable by a fine.

Not exceeding 1,000 Sicca Rupees.

III. The Collector, or other Officer acting in that capacity, who may exercise the powers vested in him by this Regulation, shall previously make a summary inquiry, in the presence of the party charged with disobeying or neglecting the Order issued to him, or of his representative; if, on being duly summoned, he shall attend in person, or by Vakeel, for that purpose: If he shall fail to attend either in person or by Vakeel, the summary inquiry shall be conducted exparte, and the Collector shall record upon his Proceedings the whole of the Evidence obtained in proof of the neglect or disobedience for which a fine may be imposed.

The Collector to make a summary inquiry in presence of the party charged with neglect or disobedience or his representative.

The Collector may hold exparte Proceedings on failure of either to attend.

IV. The Collector, or other Officer, who may adjudge a fine under this Regulation, shall be competent to levy the amount

The amount of fine how to be levied.

amount by the same process as is authorized for the recovery of arrears of the Public Revenue. Provided that if an appeal be preferred from his decision, within six weeks from the date of it, to the Board of Revenue, in whose jurisdiction the District may be situate, and sufficient security be tendered for performing the Judgment of the Board upon the appeal, the Collector shall stay the execution of his Order for levying the fine imposed by him, until he shall receive the final Order of the Board.

Appeal to what authority preferrible.

Petition of appeal to be written on Stampt paper.

V. Appeals from the Orders of Collectors, or other Public Officers, adjudging fines under this Regulation, may be preferred, on the stampt paper prescribed for other appeals to the Revenue Boards, either immediately to the proper Board; or through the Officer by whom the fine may have been adjudged; and on admission of the appeal the whole of the Proceedings in the case shall be transmitted to the Board. But no such appeal shall be receivable, after the expiration of six weeks from the date of the Judgment; without proof of sufficient reason, for the delay, to the satisfaction of the Board, by whom the case may be cognizable.

Limitation of Appeal.

A. D. 1825. REGULATION VII.

A REGULATION *to explain and amend the Rules in force for the execution of Decrees, or other Judicial Process, by the Sale of landed property, or otherwise.*—PASSED *by the Governor General in Council on the* 14*th April* 1825, *corresponding with the* 3*d Bysack* 1232 *Bengal Era; the* 10*th Bysack* 1232 *Fusly; the* 3*d Bysack* 1232 *Willaity; the* 11*th Bysack* 1882 *Sumbut, and the* 23*d Shaban* 1240 *Higeree.*

Preamble.

WHEREAS the Rules contained in Regulation XLV. 1793, re-enacted for Benares by Regulation XX. 1795, and for the Ceded Provinces by Regulation XXVI. 1803, "for disposing of Malgoozary and Lakheraj lands, pursuant "to decrees of the Courts of Justice," have been found to require explanation and amendment, with respect to the sale of houses, gardens, orchards, and small portions of land held exempt from the public assessment; and whereas it appears expedient

expedient to establish some additional rules for the sale of such property, when requisite, in satisfaction of decrees, or other judicial process; as well as for the sale of landed property, in execution of such process, when made by the Revenue Officers of Government; at the same time enabling the Judges of the Civil Courts to obtain the aid of the Collectors in the enforcement of all Decrees relative to the proprietary right, or possession of land, when it may appear conducive to their speedy or complete execution, as well as to require security, or direct an attachment of property in certain cases, when the enforcement of a decree may be delayed, under the Eighth Clause of Section XV. Regulation XXVI. 1814; the Governor General in Council has, for these purposes, enacted the following Rules, to be in force, as soon as promulgated, throughout all the Provinces immediately subject to the Presidency of Fort William.

Parts of the Regulations in force relating to sale of lands, in satisfaction of Decrees of Courts, explained and modified.

II. *First.* Such parts of Regulations XLV. 1793, XX. 1795, and XXVI. 1803, or of any other Regulation in force, relative to the sale of lands, in satisfaction of Decrees of the Courts of Civil Judicature, as require that sales of landed property, in execution of such Decrees, shall be made by the Collectors of the public Revenue, or other Officers of Government in the Revenue Department, are hereby explained and modified, as follows:

Sales of Houses, Gardens, Orchards and small portions of Lakheraj land in execution of decrees, to be conducted under the authority of the Judicial Officers.

Second. The Rules contained in the Regulations abovementioned shall not be considered applicable to the sale of houses, gardens, orchards, and small portions of land held exempt from the public assessment; the sale of which, when requisite in execution of any decree, or other judicial process,

process, shall be made, as heretofore, by Order of the Court, or Officer, empowered to enforce the decree, or process, without application to the Board of Revenue, or the Collector of the District, or other Officer in the Revenue Department.

The sale of Landed property under a Judicial process to be conducted under the same forms as sales of personal property.

Third. The Judge, Register, or other Officer, empowered, under the Regulations, to enforce a Decree, or other Judicial process, by a sale of property, is authorized to cause the public sale of any house, garden, orchard, or small portion of Lakheraj land, which may be liable to be sold in execution of the decree, or other process, in like manner, as he is authorized to cause the public sale of any personal property liable to be sold in execution of the same.

The same Officers to be employed in the sale of houses, &c. as in the sale of landed property.

III. *First.* The Judges and Registers of the Zillah and City Courts, who usually employ the Nazirs of those Courts, or the Sudder Ameens at the station of the Judge and Register, and the local Moonsiffs in other parts of their jurisdictions, to conduct the public sale of personal property in execution of Decrees, or other Judicial process, are hereby authorized to employ the same Officers, when it may appear expedient, in the public sale of houses, gardens, orchards, or small portions of Lakheraj land, under the provisions of this Regulation.

A proclamation to be issued thirty days previously to the sale of such property.

Second. In all cases of attachment and intended sale, whether of personal property, or of the landed property above described, in execution of any decree, or other judicial process, a proclamation of the intended sale, with particulars of the time and place of sale, of the property to be sold and of the amount due, for the recovery of which the sale is ordered,

ordered, shall be made, in the current language of the country, for at least thirty days, before the appointed day of sale; exclusive of the day of sale, and the date on which the proclamation may be ordered. Such proclamation shall be made, in the usual mode, by beat of drum, on the spot where the property is attached; and a written notification, to the same effect, shall also be affixed in some conspicuous place, within the village or town, in which the attachment may take place; as well as in the Cucherry of the local Moonsiff; and at the Cucherries of the Collector of the District; and the Zillah Judge, or Register, who may have ordered the sale. When the sale is to be made by a Sudder Ameen, the notification shall also be affixed in the Cucherry of such Sudder Ameen.

How such proclamation is to be made and notified.

Third. The usual processes for attachment and sale, in such cases, may either be issued successively, or simultaneously, as the Judge, Register, or other Judicial Officer, directing the sale, may, in each instance think proper, with reference to the circumstances of the case. But no sale shall, in any instance, take place without a previous proclamation, for the period specified in the preceding Clause; and any material irregularity in the sale, which may be established, on a summary inquiry, to the satisfaction of the Judge, Register, or other Officer, by whom the sale may have been ordered, shall be sufficient to invalidate the sale; provided that a petition, written on the stampt paper required for miscellaneous petitions to the Zillah and City Courts, and stating circumstantially the irregularity which may have taken place, be presented to the Judge, Register, or other Officer, by whom the sale may have been ordered, within one month after the sale.

The usual processes for attachment, and sale may be issued simultaneously.

No sale to take place without the specified proclamation being made; and any material irregularity will render the sale liable to be declared invalid.

If a Petition on stampt paper be presented within one month after the sale.

Fourth.

Fourth. Whenever a public sale may be set aside, as invalid, under the preceding Clause, or on any account whatever, and no collusion, or fraud shall appear on the part of the Purchaser, he shall be entitled to receive back his purchase money, on restoring any property delivered over to him, with or without interest, in such manner, as it may appear proper to direct in each instance.

In cases where sales are annulled and no collusion appears, the Purchaser to have his purchase money returned with or without Interest as may appear proper.

Fifth. The summary decision passed by the Zillah or City Judges, or Registers, under this Section, shall be open to a summary appeal to the Provincial Courts, under the general Rules, for such appeals.

Summary decision passed by Judges or Registers appealable to the Provincial Courts.

Sixth. In the event of any claim being preferred to the property advertised for sale, under the provisions of this Section; or of any objection being offered to the proposed sale, within the period of the proclamation; such claim, or objection, shall be inquired into by the Judge, Register, or other Officer, who may have ordered the sale, or may be referred for inquiry and report to a Sudder Ameen, or local Moonsiff; and if it appear necessary, the time of sale shall be postponed, till such claim or objection have been investigated; provided that the representation of it, (which, in all instances, is required to be preferred to the Judge, Register, or Officer, ordering the sale, as soon as practicable after the publication of the intended sale,) shall not appear to have been designedly and unnecessarily delayed, with a view to obstruct the ends of justice. In such cases, when the fraudulent design may appear evident, the sale shall not be postponed; and the claimant shall be left to prosecute his claim, after the sale, by a Regular Civil Suit.

How Judicial Officers are to proceed in cases where claims are made to advertised property or objections made to the sale of it.

Provided such claim or objection shall not have been designedly delayed.

But should the claim be urged with a fraudulent design the sale is to proceed and the claimant left to prosecute in the Civil Court.

Seventh.

In all cases of sale of property, the Bidders shall be apprised that nothing is guaranteed to them beyond the rights and Interests of the Individuals answerable for the amount of the Decree.

Seventh. In all cases of a public sale of property, under this Regulation, it shall be clearly explained to the bidders at the sale, that nothing is guaranteed to them in the land, or other property sold, beyond the rights and interests therein of the Individuals answerable for the amount of the decree, or other process, in execution of which the sale is made.

The provision contained in the foregoing Clause declared applicable to all public sales of land made by Collectors or other Revenue Officers in execution of Decrees of the Courts of Judicature or of other Judicial process.

IV. *First.* The provision contained in the last Clause of the foregoing Section shall be considered applicable to all public sales of land made by the Collectors, or other Officers of Government, in the Revenue Department, in execution of decrees of the Courts of Judicial process; and the following additional Rules are prescribed respecting such sales, in modification of those now in force.

The Courts how to proceed when a sale of landed property cannot be effected without application to the Revenue authorities.

Second. When it may be necessary to have recourse to a sale of landed property in execution of a decree, or other Judicial process, and the property pointed out for sale, by the person desiring execution of the decree, or other process, may not be such as the Court empowered to enforce the same, is authorized to bring to sale, without application to the Revenue Officers of Government, the Court whose duty it may be to execute the decree or process, shall transmit a copy and translation of the decree, or other process, to the local Board of Revenue, as directed in Regulation XLV. 1793, XX. 1795, and XXVI. 1803, and shall at the same time transmit a statement of the lands which the person entitled to the benefit of the decree, or other process, may point out as belonging to the person or persons, from whom the amount may be demandable.

Third.

Third. The Board of Revenue on receipt of the documents above noticed, will proceed as directed in the Regulations referred to and shall furnish the Collector of the district in which the lands proposed for sale may be situated, with a copy of the statement so received; instructing him to select for the sale, any part of the lands included in the statement, which it may appear most convenient to sell in execution of the decree, or other process; and the sale of which may appear sufficient for that purpose.

The Board of Revenue to instruct the Collector of the District in which the lands may be situated to select for sale any part of them which may appear most convenient.

Fourth. In the event of any claim being preferred, or objection offered, to the Collector, against the sale of the lands proposed to be sold, as not belonging to the person or persons answerable for the amount of the decree, or other process, to be enforced, and consequently not liable to be sold in execution thereof, the Collector shall communicate such claim, or objection, with any information which his official records may enable him to furnish on the subject, to the Court, which may have applied for the sale; and shall be guided by the instructions which he may receive in answer, whether to proceed with the sale, or otherwise.

In the event of any claim or objection against the sale, the Collector shall communicate the same to the Court and shall be guided by the instructions he may receive.

Fifth. In all cases of a claim, or objection, being communicated by a Collector to the Court, enforcing a decree or other process, under the foregoing Clause, or of a claim to lands proposed for sale in execution of judicial process, being received from the claimant, by the Judge, or other Officer, who may have required the sale, it shall be his duty to enter upon an immediate summary inquiry into the truth and foundation of such claim; and if it appear proper he shall instruct the Collector to postpone the intended sale until such

In cases where objections are communicated by Collectors, or claims preferred to lands ordered for sale, the Judge, &c. to institute a summary inquiry, and if requisite to instruct the Collector to postpone the sale.

Such postponement to be held unnecessary if the claim has not been preferred within a reasonable period.

such inquiry shall have been completed. Provided however that such postponement shall not be necessary when the claim, or objection, may not have been preferred within a reasonable time, after the Collector's publication of the intended sale, and may appear to have been intentionally delayed, with a view to obstruct the sale. In such cases the Court may order the sale to take place; and refer the claimant to a regular suit, in prosecution of his claim.

All Judicial authorities who may have ordered sales of lands by Revenue Officers empowered to declare such sales null and void, and to order a re-sale, if on summary enquiry, any material irregularity be satisfactorily established.

V. *First.* A doubt having been entertained whether public sales of land, made by the Revenue Officers of Government, in satisfaction of decrees or other process of the Court of Judicature, can be summarily set aside, without a regular Civil suit, or proof of irregularity in publishing and conducting the sale, or otherwise; it is hereby declared that the Zillah or City Court, or other Judicial authority, who may have ordered the sale in such cases, shall be competent to declare the same null and void, and to order a re-sale in the mode prescribed by the Regulations, if, on summary enquiry, any material deviation therefrom, and consequent irregularity in the sale, be satisfactorily established; provided that a petition containing a circumstantial statement of such irregularity, and written on the stampt paper required for miscellaneous petitions in the Zillah and City Courts, be presented to the Court by which the sale may have been ordered, within a month after the sale. In such cases the Court directing the sale to be set aside shall further be competent to direct a return of the purchase money, with or without interest, as provided for in similar cases, by the Fourth Clause, of Section III. of this Regulation.

Proviso.

In certain cases the purchase money to be returned with or without interest.

Second.

Second. The summary decisions passed under this Section shall be open to a summary appeal to the Provincial Courts, under the general Rules for such appeals.

Summary decisions passed under this Section appealable to the Provincial Courts.

VI. By the existing Regulations the Judge of the Zillah and City Courts, are required to transmit to the Collectors of their respective jurisdictions, (as well as to the Board of Revenue) copies of all decrees which may be passed by them, or by their Registers; or which may be sent to them for enforcement by the Superior Courts; affecting the proprietary right to, or possession of, any lands paying revenue to Government, or held exempt from the payment of revenue; for the purpose of enabling them to make the requisite entries and alterations in the periodical Registers of land. The Judges of the several Civil Courts are further hereby authorized to require the aid of the local Collector, in the enforcement of all such decrees, whenever it may appear conducive to their speedy and complete execution; whether by giving possession to the Parties entitled thereto; or by the adjustment of a Waselaut Account, or otherwise.

The Civil Courts may require the aid of the Collectors in the enforcement of decrees relating to Malgoozarree Land, whenever it may appear conducive to their speedy and complete execution.

VII. In explanation of the Eighth Clause of Section XV. Regulation XXVI. 1814, which provides that, in certain cases, "it shall be competent to the Court applied to, for execution of a decree, instead of proceeding to the immediate enforcement of the decree, to issue a notice to the party against whom execution may be sued out, requiring him to shew cause within a limited period to be fixed by the Court, why the decree should not be executed against him," it is hereby declared that the above provision was meant to be imperative in the cases referred to; and not to leave a discretion

Clause Eight Section XV. Regulation XXVI. 1814, explained, and the several Courts empowered to require Security for making good decrees or in failure thereof to cause an attachment of Property.

discretion with the Court, at the same time, with a view to guard against abuses, it is now further provided, that, whenever it may be shewn, by satisfactory evidence, that the party against whom the decree was passed, or in the event of his decease, his legal Representative who may have become answerable for the fulfilment of it, is about to remove, or dispose of, the property from which the judgment should be satisfied, the Court, proceeding, as directed in the Eighth Clause of Section XV. Regulation XXVI. 1814, shall be authorized to require security in such amount as may appear sufficient for making good the decree; and in the event of such security not being given, to cause an attachment of property; as provided for in similar cases, whilst a suit is depending, by Section V. Regulation II. 1806.

A. D. 1825. REGULATION VIII.

A REGULATION *to make further provision for the Employment of Native Officers in the Judicial Department; and to provide for the punishment of false and malicious Charges against the European Officers of Government:*—PASSED *by the Governor General in Council on the 5th May* 1825; *corresponding with the 24th Bysaack* 1232 *Bengal Era; the 3d Jeyte* 1232 *Fusly; the 25th Bysaack* 1232 *Willaity; the 3d Jeyte* 1882 *Sumbut; and the 16th Ramzan* 1240 *Higeree.*

WHEREAS the Rules contained in Regulations II. 1793, V. 1795, and XXV. 1803, whereby the Collectors are prohibited from employing their private Servants, or any persons except public and registered Officers, in the discharge of any part of their public duties, as well as from conferring on their public Officers any private trust relating to their personal concerns, have not been specifically enacted, Preamble.

by

by any Regulation in force for the guidance of the public Officers in the Judicial Department, although the spirit of them is obviously applicable to the Rules enacted in Regulations V. 1804, and VIII. 1809, for the appointment of the Native Officers employed in that Department; and whereas the Rules in force for receiving and proceeding upon charges of a serious nature against the European public Officers, contain no provision similar to the enactment in Section V. Regulation VII. 1811, respecting malicious and unfounded charges preferred in the Zillah or City Courts, when the accusation or information against an European Officer of Government may be found on investigation to be manifestly groundless and malicious; with a view therefore to supply what is wanting in the existing Regulations on the points above noticed, the Governor General in Council has enacted the following Rules to be in force, as soon as promulgated, throughout all the Provinces immediately subject to the Presidency of Fort William.

All Officers in the Judicial Department prohibited under penalty of dismissal from Office, from employing their private servants in the execution of any public duty.

II. *First.* The whole of the Officers of Government, employed in the Judicial Department, Civil or Criminal, are prohibited, under penalty of dismissal from office, from employing directly or indirectly, their private Servants of whatever description, or any other persons, not being public Officers duly appointed or nominated in conformity with the Rules in force relative to such appointments, in the discharge of any part of their public duties, or in the execution of any public duty, in which the person so employed, may not have been duly authorized to act.

And from employing any public Officers on their Establishment, (not being

Second. The whole of the Judicial Officers are in like manner

manner and under the same penalty prohibited from employing any of the public Officers on their Establishments, not being Peons, or other inferior servants, in personal attendance upon a Judge, Magistrate, or other Officer of Government in the Judicial Department, in the performance of any part of their private business, or in the execution of any private trust relating to their personal concerns.

Peons or other inferior servants) in the execution of any part of their private business, or private trust, relating to their personal concerns.

III. If any of the Native Officers, now on the establishment of any Officer of Government in the Judicial Department, shall be disqualified from continuing to hold the Office now held by him, under the prohibitions contained in the preceding Section, he shall be immediately removed from such office, and a successor appointed to it, according to the Rules prescribed in the existing Regulations. Any neglect of this requisition will subject the party committing it to the same penalty as that provided for in the foregoing Section.

Any Native Officers in the Judicial Department, who may be disqualified from public employment, under the prohibitions, referred to in the preceding Section to be immediately removed from Office.

Any neglect of the above requisition will subject the party to the same penalty as that specified in the preceding Section.

IV. In all future nominations of Native Officers by the Judges and Magistrates or other Judicial Officers, which may be submitted to the Provincial Courts of Appeal and Circuit, under the provisions of Regulation IX. 1809 or of any other Regulation in force, the Judge, Magistrate, or other Officer making such nomination is required to state explicitly, in addition to the information called for by the existing rules, that the person so nominated is not disqualified under the provisions of the present Regulation; and it will, at all times, be the duty of the Provincial Courts to see that these provisions are observed; as well as to report any wilful infringement of them to the Courts of Sudder Dewanny or Nizamut Adawlut for the information and orders of Government.

In all future nomination of Native Officers, the Judge and Magistrates are to state to the Provincial Courts, that the person so nominated is not disqualified under the provisions of the present Regulation.

Duty of the Provincial Courts to enforce the due observance of the above rules, and to report to the Courts of Sudder Dewanny Adawlut and Nizamut Adawlut, any wilful infringement of them.

V.

The Court of Sudder Dewanny Adawlut, and Boards or other authority, declared competent to punish, after due investigation, persons preferring unfounded and malicious charges against European public Officers.

V. *First.* Whenever an accusation or information of a serious nature against a European public Officer, which may have been preferred, and proceeded upon, in conformity with the provisions of Regulation XVII. 1813, or of any other Regulation in force, shall be found on investigation to be manifestly unfounded and malicious, it shall be competent to the Court of Sudder Dewanny Adawlut, Board of Revenue, Board of Trade, or other controlling authority passing a final judgment or order in the case, to punish the accuser, or informer, who may have preferred such groundless and malicious charge, or information, by imprisonment in the Civil or Criminal Jail with or without labour and irons for a period not exceeding six months, with a fine not exceeding Five Hundred Rupees, commutable if not paid to a further period of imprisonment not exceeding six months; so that the entire period of imprisonment shall in no instance exceed one year.

The Court of Sudder Dewanny Adawlut to issue the necessary instructions to the proper officer for the execution of orders passed under the above clause.

Similar orders of the Board of Revenue and Board of Trade, or other authority how to be executed.

Second. Whenever fine and imprisonment or either may be ordered under the above clause, by the Court of Sudder Dewanny Adawlut, it will, of course, be competent to that Court to issue the necessary instruction for the execution of the order so passed to the proper officer. In all other cases; viz. whenever the order may be passed by the Board of Revenue, Board of Trade, or any other controlling authority, acting under the provisions of Regulation XVII. 1813, Regulation VIII. 1817, or any other Regulation in force, an authenticated copy of the order shall be transmitted to the Register of the Sudder Dewanny Adawlut, with a request that the necessary measures for carrying the same into effect may be taken by that Court, who will thereupon issue the requisite

instructions

instructions for that purpose, in like manner as if the order had been passed by the Sudder Dewanny Adawlut.

In what manner persons preferring, on Oath, false and malicious charges against European public Officers may be proceeded against.

VI. In cases of an atrocious nature, wherein the accuser or informer may have been manifestly guilty of willfully preferring a false and malicious charge of a serious nature, on oath, and it may appear necessary for the ends of justice, on due consideration of all the circumstances of the case, that instead of being subjected to a fine and imprisonment under the provisions of the foregoing Section, he should be criminally prosecuted on a charge of perjury, the proceedings held in the case shall be transmitted by order of the controlling authority to the Court of Nizamut Adawlut, which Court, if it shall be of opinion that there are sufficient grounds for a criminal prosecution, will issue the necessary instructions for the same to be conducted by the Vakeel of Government before the Court of Circuit, to which the offender may be amenable, or in which it may appear proper to bring him to trial.

A. D. 1825. REGULATION IX.

A REGULATION *for extending the operation of Regulation VII.* 1822, *for authorizing the Revenue authorities to let in farm Estates under temporary leases, on the default of the Malgoozars, or to hold the same Khâs for a term of years, for modifying and adding to the Rules contained in Regulation II.* 1819, *and for making certain other amendments in the existing Regulations.*—PASSED *by the Governor General in Council on the 5th May* 1825; *corresponding with the 24th Bysaack* 1232 *Bengal Era; the 3d Jeyte* 1232 *Fussily; the 25th Bysaack* 1232 *Willaity; the 3d Jeyte* 1882 *Sumbut; and the 16th Ramzan* 1240 *Higeree.*

Preamble.

WHEREAS the provisions of Regulation VII. 1822, are in force only within the Ceded and Conquered Provinces,

Provinces, in the District of Cuttack, and in the Pergunnah of Puttaspore and its dependencies; and whereas there are within the other Provinces belonging to this Presidency various Mehals and tracts for which a permanent settlement has not yet been concluded, and it appears to be advisable that the Revenue authorities should be vested, in regard to such Mehals and tracts, with the same powers as belong to the like Officers within the Ceded and Conquered Provinces; and whereas the principle of the Rules contained in the said Regulation, relative to Lands held free of assessment or at a Mocurrurce Jumma under special grants, is equally applicable to such tenures in all parts of the country: and it appears to be likewise expedient to make provision for the occasional exercise by the Revenue Officers in the Lower Provinces, of the powers specified in the said Regulation, for the summary trial of certain suits between Individuals, subject as therein provided to an appeal to the Adawlut by a regular suit: and whereas a frequent recourse to the sale of Lands, for the recovery of arrears of Revenue in Districts of which the assessment has not been fixed in perpetuity, being inexpedient it appears to be necessar yand proper that the Revenue authorities should be empowered to let in farm for a term of years the Estates of defaulters under temporary leases, or to hold the same Khâs for the purpose of making a Ryotwar settlement, where that measure may be deemed advisable, and whereas it has appeared to be expedient to modify and to add to the provisions contained in Regulation II. 1819, and whereas the Rules prohibiting the collection of Sayer duties, and the provision contained in Section XXXIX. Regulation IX. 1810, having been considered applicable to several items of Sewace

collections

collections or cesses levied by the Malgoozars and others for local purposes, and according to ancient usage, which it would be injurious to abolish, it appears to be expedient to provide for the continuance of such collections when sanctioned by Government, the following rules have been enacted to be in force from the date of their promulgation, within the provinces belonging to the Presidency of Fort William.

II. *First.* The provisions contained in Clause 6th Section II. and in the thirty-three following Sections of Regulation VII. 1822, are hereby extended to all lands (including Jageers, Mocurruries and other tenures held free of assessment or at a quit rent under special grant) not included within the limits of Estates for which a permanent Settlement has been concluded in the manner prescribed by Regulation VIII. 1793, and Regulations II. and XXII. 1795, as far as the same may be applicable.

The provisions contained in clause Sixth Section II. and thirty-three following Sections of Regulation VII. 1822, extended to all lands not included within the limits of Estates for which a permanent settlement has been concluded.

Second. The said provisions shall likewise be in force in all Estates, which may now or hereafter be held Khâs, during the period for which they may be so managed.

Such provisions to be in force in all estates held under Khâs management.

Third. The provisions aforesaid shall also apply to the Sunderbuns, the Hill lands of Bhaugulpore and other extensive forests and wastes, not included within the limits of Pergunnahs, Mouzahs or other Revenue divisions, specified at the time of Settlement as belonging to the Mehals then assessed; as well as to all Estates bordering on such forests or wastes.

And to be held applicable to the Sunderbuns, the Hill-lands of Bhaugulpore, and generally to all forests and wastes not specified in the settlement accounts.

III. It shall be competent to the Governor General in Council

The Governor General in Council may vest any Collector,

&c. with the several powers specified in Section XX. Regulation VII. 1822, within such limits as may be considered advisable.

Council to vest any Collector, or other officer exercising the powers of Collector, within the provinces of Bengal, Behar, Orissa, and Benares, with the several powers specified in Section XX. Regulation VII. 1822, in the manner specified in the second clause of that Section, within such local limits as may from time to time appear to be advisable: and the several provisions contained in Section XXI. and the fourteen following Sections shall apply to the several Pergunnahs or other local divisions so placed under the jurisdiction of the Collector, or other officer aforesaid.

In such cases the several provisions contained in Section XXI. &c. to be considered applicable.

Rule of proceeding when an arrear of Revenue on account of Mehals not permanently assessed may not be paid within one month after it becomes due and objections appear to a public sale.

IV. Whenever an arrear of Revenue shall accrue on account of any Mehal, for which an engagement may have been taken from the proprietors or persons recorded as proprietors, not being an Estate of which the assessment has been fixed in perpetuity, and the Malgoozars shall fail to discharge the same within one month of the date on which it became due, then if there shall appear to be any objection to the sale of the Estate, and the arrears cannot otherwise be recovered (on which points the decision of the Revenue authorities is to be held conclusive) it shall be competent to the Collector or other officer exercising the powers of Collector, with the sanction of the Board, and subject to the orders of Government, to annul the existing engagements with the Malgoozars, and to let the Mehal in farm for such period, not exceeding 15 years, as the Governor General in Council may appoint or to hold the Mehal under Khâs management for a like period. In such cases, if the Mehal shall yield a higher Jumma than that for which the Malgoozars may have engaged, the excess shall in the first place be appropriated to the liquidation of the arrear due on account of it, or such

Existing engagements may be annulled and the Mehal let in farm.

If a higher Jumma be obtained the excess to be appropriated to the liquidation of the arrear and to the payment of Malikana to the Malgoozar.

such portion thereof as the farmer may not have separately agreed to discharge or as may not otherwise have been recovered, and, out of any surplus remaining, the Malgoozars shall receive such Malikana, not being less than 5 per Cent. nor more than 10 per Cent. on the assessment of the last year of their engagement, as the Governor General in Council may direct.

V. *First.* The following rules are enacted in modification of Sections V, VI, VIII, X, XI, XIII, XV, XXII, and XXX. of Regulation II. 1819.

Rules in modification of certain Sections of Regulation II. 1819.

Second. Whenever a Collector, or other Officer exercising the powers of Collector, shall visit or be about to visit any Mehal for the purpose of making a settlement in the manner prescribed in Regulation VII. 1822, it shall be competent to him by a Notification to be stuck up in some conspicuous place within such Mehal, and each Village thereof, if consisting of several Villages, to require all persons holding lands free of Assessment, or at a fixed Jumma within or adjoining to the Village or Villages in which the lands of such Mehal or any part thereof may be situate, to appear before him either in Person or by Vakeel within a reasonable time, not being less than one month from the date of such Notification, at such place within the Mehal as he may select for holding his office, and to attend him from day to day while he may continue within the Mehal, with all Sunnuds or other writings in virtue of which they may possess the lands or under which the lands may have been or may be claimed to be held free of Assessment or at a fixed Jumma, together with any evidence they may desire to have taken in support of their claims.

Collectors, &c. employed in making a settlement of lands to issue a notification and to require the appearance before him of all persons holding lands free of assessment.

Who are to continue their attendance from day to day and to produce all Sunnuds or other writings under which they claim to hold the lands rent free or at a fixed Jumma.

Third.

Collectors, &c. engaged in the settlement of Mehals empowered to have such lands measured without awaiting a previous reference to the Board of Revenue.

Third. It shall likewise be competent to Collectors and other Officers aforesaid, when engaged in the settlement of any Mehal under the rules of the regulation above mentioned, or preparatory thereto, to measure or cause to be measured, without a previous reference to the Board of Revenue, all Lands, whether Malgoozaree or Lakheraj, belonging or adjoining to the Village or Villages in which such Mehal or any part thereof may be situated.

Collectors upon commencing the settlement of Mehals to give public notice by an Ishtahar one day previous to that on which it is intended to hold proceedings in any of the cases proposed to be investigated.

Fourth. When the Collector or other Officer aforesaid shall have commenced the settlement of any Mehal in regard to which he may have issued a Notification as aforesaid, and shall propose to hear the Claims of persons holding lands free of Assessment or at a fixed Jumma and to receive their Sunnuds and other writings as aforesaid or any of them, the period fixed in the Notification for the attendance of such parties being arrived, he shall on the day preceding that on which he may intend to hold proceedings in the said cases or any of them, notify such intention by an Ishtahar stuck up in his office and in some place, open to the public, within the Mehal.

Collectors empowered to proceed exparte in investigations should persons fail to attend after due notice given them.

And with the sanction of the Board of Revenue to resume such lands if they appear to be held on an invalid title.

Fifth. If any person holding land free of Assessment or at a fixed Jumma as aforesaid shall fail to attend either in Person or by Vakeel after notice being given in the manner above prescribed, the Collector shall be competent to proceed exparte to investigate the title of such party to hold the land in his possession free of Assessment; and with the sanction of the Board of Revenue to resume the said lands if they appear to be held on an invalid title. Nor shall any person, defaulting as above, or neglecting to appear and give answer when

when required to do so in the manner prescribed in Regulation II. 1819, be entitled to stay the resumption and assessment of his lands, under the rule contained in the XXII. Section of that Regulation. Provided further that the rule contained in Clause II. Section XIII. Regulation II. 1819, shall be and be held applicable to such persons, as well as to persons who may appear when summoned under the provisions of that Regulation or in the manner hereinbefore provided.

Defaulters neglecting to appear or to furnish the information required from them not entitled to stay the resumption and assessment of their lands.

Proviso.

Sixth. It shall be competent to Collectors and other Officers making settlements as aforesaid, either to complete the investigation of the Claims of Persons holding land free of Assessment, or at a fixed Jumma, under the Rules of the fifteenth and following Sections of Regulation II. 1819, with the modifications hereinafter provided, during the progress of the Settlement; or to limit their proceedings to the ascertainment of the land actually held under such tenures, and the record of the title deeds produced by the parties; postponing the further investigation of the case to a future period. When any Collector or other Officer may postpone the investigation of any case as aforesaid, he shall at the same time notify to the party the time and place at which the further investigation is to be held; or if circumstances prevent him from doing so, he shall before resuming the enquiry give the party one month's notice to attend: And on the failure of any party to attend when so warned, the Collector, or other Officer aforesaid shall be competent to proceed to try the case exparte, and with the sanction of the Board, to resume and assess the lands.

Collectors, &c. engaged in making settlements may either complete the investigations of claims under the rules in force or limit their proceedings to certain points.

When investigations are postponed Collectors to give the party due notice previous to resuming the enquiry.

And if the party should fail to attend, the case may be tried exparte, and the Collector may with the sanction of the Board of Revenue resume and assess the lands.

Seventh. Collectors or other Officers who may proceed to

Collectors, &c. in investigating claims to

Lakheraj lands to be guided by the provisions of section XV., &c. Regulation II, 1819.

to investigate claims to Lakheraj lands during the progress of a settlement, shall follow the Rules of the fifteenth and following Sections of Regulation II. 1819, in all cases wherein the parties may attend and deny the liability of their lands to Assessment subject to the modifications hereinafter provided.

Collectors, &c. prohibited from resuming lands even though the parties acknowledge such lands to be liable to Assessment, without the sanction of the Board of Revenue.

Eighth. No lands shall be resumed by a Collector, even though the parties may confess that they are liable to Assessment, without the sanction of the Board of Revenue, save and except as hereinafter provided: but on such confession duly attested, which will of course supersede the necessity of any further enquiry, it shall be competent to the Board forthwith to direct the lands to be Assessed, unless the same be held by Village or Zemindaree Servants in lieu of Wages, which shall not be resumed without the sanction of Government. Provided also that in all cases wherein it may appear to the Board that the resumption of Lands held free of Assessment would occasion serious distress to the holders, it shall be their duty to submit a report of the circumstances to the Governor General in Council.

The Board in such cases to direct the assessment of the lands unless they are held by servants in lieu of Wages which are not resumable without the sanction of Government.

Specific provisions of Regulations which the Collectors are to consider applicable to cases investigated by them.

Ninth. The provisions of Clause first, Section XXIII. Section XXV. and Section XXVIII. Regulation VII. 1822, shall be applicable to cases investigated by Collectors, under the rules of Regulation II. 1819, or under the provisions of this Regulation.

Stampt Paper for proceedings in cases originating with a Collector declared to be unnecessary.

Tenth. It shall not be necessary to use Stampt paper, for the proceedings held, or exhibits filed before the Revenue authorities in cases originating with a Collector, or other Officer of Government claiming to Assess land held free of

Assessment

Assessment. But the said authorities are authorized in the said cases, as in all other cases wherein they may exercise judicial powers under the provisions of the existing Regulations, to award to witnesses their reasonable charges and to levy the same, as well as all costs adjudged by them, by the process in force for the recovery of arrears of the Government Revenue.

Witnesses to be awarded all reasonable charges which as well as costs are to be levied by the process in force for the recovery of arrears of revenue.

Eleventh. Persons claiming to hold lands exempt from Revenue shall, with their petitions of plaint, deliver to the Collector or other Officer to whom the same may be preferred, all Sunnuds and other writings on which their claim may be founded; and shall insert in the said petition a full specification of the several particulars required to be registered by the rules in force, relative to the registry of rent-free tenures, and of the grounds on which their claim is founded. If the claim shall involve only the interests of Government, the Collector shall proceed without delay to investigate the case, giving, however, eight days previous notice to the party of the day on which he may propose to bring it to a hearing in the mode prescribed for the Civil Courts. If the claim shall be against any individual singly or jointly with Government, the Collector shall serve him with a notice containing a statement of the demand, and requiring his attendance in person or by Vakeel duly authorized, within the period of one month, with any papers or evidence he may desire to produce in denial of the claim: and on the appearance of such defendant the Collector after allowing him to inspect and examine the claimant's petition of plaint and the writings therein referred to, shall call upon him to deliver within the period of seven days a statement of the objections he

Specification of documents and particulars to be submitted to the Collector by persons claiming to hold lands free of Assessment.

Collector, in case the claim should involve only the interest of Government, to proceed in the investigation of it, giving eight days previous notice to the party.

But if the claim be against an individual singly or jointly with Government, the Collector is to serve the party with a notice containing a statement of the demand, and requiring his attendance with the necessary documents and evidence.

Defendant's answer to be given within seven days.

In such cases no further pleadings to be required but Collectors may receive and record such subsidiary proceedings as are calculated to elucidate the claims.

he may desire to urge against the claim. In such cases no other pleadings shall be required from the parties than a plaint and answer, but it shall and may be lawful for Collectors to receive and record such subsidiary pleadings as may appear requisite for the elucidation of the merits of the claim. Collectors shall proceed to investigate every such case as soon as possible after the answer of the defendant shall be received; giving however as aforesaid eight days previous notice to the parties, of the day on which he may propose to bring it to a hearing. Provided, that in cases wherein the parties concerned, or their authorized representatives shall desire or consent (the same being signified in a written petition or Ikrarnameh to be filed with the proceedings) to have an immediate decision, whether the case shall originate in a claim on behalf of Government or in the suit of an individual, and whether the proceedings of the Collector shall be held under the provisions of Regulation II. 1819, or under those of this or any other Regulation touching the matter, it shall be competent to the Collector to proceed forthwith to the investigation and decision of the case without issuing any formal summons or notice.

After the receipt of the Defendant's answer, eight days notice to be given of the day on which it is proposed to bring it to a hearing.

Proviso in case an immediate decision shall be petitioned for.

Collectors, &c. if of opinion that any tract of land belongs to Government and that no individual has bonâfide possession thereof, to require by a notification the attendance before him of all claimants within a given period.

Twelfth. Whenever a Collector or other Officer exercising the powers of Collector shall be of opinion that any tract of Land belongs to Government, and that no individual has bonâfide possession thereof, it shall be competent to him, by a notification, to be stuck up in his Kutcherrie, in the Zillah Court and in the Kutcherrie of the Canoongoe, Moonsif, or Thanadar, to whose jurisdiction the land in question may belong or adjoin, to require all claimants to the same to appear before him, within a reasonable time to be fixed by the

Board

Board of Revenue, not being less than six weeks from the date of such notification; and on the appearance of such claimants to proceed to investigate their claims in the manner prescribed by Regulation II. 1819, for investigations relative to the liability of lands to be assessed as herein modified. Provided further that, if the Collector or other Officer aforesaid shall decide that none of the claimants have bonâfide possession of the lands in question, and his decision shall be affirmed by the Board of Revenue, the said lands shall be at the disposal of Government, until the same shall be adjudged to be private property by a decree of Court on a regular suit. Provided also that all such suits, if preferred by one of the claimants before the Collector, shall be dismissed with costs, unless instituted within six weeks of the date on which the Board may affirm the decision of that Officer, and that the rule contained in Clause II. Section XIII. Regulation II. 1819, shall be strictly applied to such suits: Nor shall any such suit be admitted on the part of any person who may not have appeared before the Collector pursuant to notice unless he shall be able to shew good and sufficient cause for his non-appearance and shall apply for permission to sue within six weeks of his being informed of the Board's decision: Provided further, that if the party shall not prosecute his suit within six weeks of being permitted to sue, the suit shall be dismissed with costs.

And on the appearance of such claimants to proceed in the investigation of the claims in the mode prescribed by Regulation II. 1819.

Proviso in case no person has bonâfide possession of the land.

Further Proviso.

VI. It shall be competent to the Governor General in Council by an order in Council to vest any Collector or other Officer who may be deputed to hold a local enquiry within the limits of any Mehal, with the same powers and authority in regard to all lands held free of Assessment within or adjoining to

Power reserved to the Governor General in Council to vest any Collector, &c. deputed to hold a local enquiry within the limits of any Mehal with the same powers and authority in regard to lands held free of Assessment in all villages adjoining such Mehal.

to the village or villages, in which the lands of such Mehal or any part thereof may be situated, and for the investigation of all claims touching such lands as by the foregoing provisions are vested in Collectors making settlements in the manner prescribed by Regulation VII. 1822: and also from time to time to depute Collectors or other Officers aforesaid for the purpose of ascertaining, recording, or investigating the said claims in the manner above prescribed.

All lands held free of Assessment within villages and Mehals, of which the settlement may be made under Regulation VII. 1822, to be particularized and fully recorded on the proceedings of the Collector, &c.

VII. The particulars of all lands held free of Assessment within all villages and Mehals, of which the settlement may be made under the provisions of Regulation VII. 1822, shall be fully recorded in the proceedings of the Collector or other Officer making the settlement.

Nothing contained in Regulation II. 1819, &c. to be construed to affect specific enactments applicable to Benares and the Conquered Provinces relative to illegal grants of land made subsequent to the dates specified in the rules respectively.

VIII. Nothing contained in Regulation II. 1819, or in any other Regulation in force, shall affect or be considered to affect the provisions contained in Section X. Regulation XIX. 1793, Section XI. Regulation XXXI. 1803, and in the corresponding enactments applicable to Benares and the Conquered Provinces, relative to grants illegally made, subsequently to the dates specified in the said Rules respectively: and in all cases, in which it shall be established to the satisfaction of the Revenue authorities, that any lands now held free of Assessment, were subject to the payment of Revenue at the dates aforesaid or subsequently thereto and that they have not been thereafter exempted from the payment of Revenue under the authority of the Governor General in Council nor adjudged to be exempted from payment of Revenue under a Regular decree of Court; it shall and may be lawful for the said authorities forthwith to resume and Assess the

Lands now held free of Assessment that were formerly subject to the payment of revenue and have not since become exempted by competent authority, may be resumed and Assessed by the Revenue authorities.

said lands; save and except in cases wherein the Revenue of the same may belong to a Zemindar, Talookdar, or other Malgoozar, with whom a permanent settlement has been concluded: nor shall the provisions of Section XXII. Regulation II. 1819, apply to such cases.

Exception in cases where the Revenue may belong to a Zemindar, &c. with whom a permanent settlement has been concluded.

IX. It is hereby declared and enacted that the rules relative to the abolition of Sayer duties, and the provision contained in Section XXXIX. Regulation IX. 1810, are not and shall not be held to be applicable to any item of Sewaee Collections or Cess levied by Malgoozars and others according to ancient custom, which has been or shall be sanctioned by a Collector or other superior Revenue authority, not being a tax on the Transport, Export, or Import of Goods or Merchandise or other tax or duty specifically prohibited: But after the settlement of any village or Mehal shall have been made in the manner specified in Section IX. Regulation VII. 1822, the rules and provisions aforesaid shall be applicable to all Cesses and Collections not sanctioned in the manner specified in that Section.

The Rules relative to the abolition of the Sayer duties and the provisions contained in Section XXXIX. Regulation IX. 1810, declared inapplicable to any item of Sewaee Collections or cess levied by Malgoozars, &c.

After the settlement of any Mehal shall have been made, the rules adverted to shall be applicable to all cesses not sanctioned in the mode specified in Section IX. Regulation VII. 1822.

A. D. 1825. REGULATION X.

A REGULATION *more distinctly to define the meaning and intent of the provisions contained in Regulations XXXI. of* 1793, *and XXXVII. of* 1803, *which prescribe Rules for the conduct of Commercial Residents carrying on Trade for themselves:*—PASSED *by the Governor General in Council on the* 19*th May* 1825, *corresponding with the* 7*th Jeyte* 1232 *Bengal Era; the* 17*th Jeyte* 1232 *Fussily; the* 8*th Jeyte* 1232 *Willaity; the* 1*st Jeyte* 1882 *Sumbut; and the* 30*th Rumzan* 1240 *Higeree.*

Preamble.

BY the several Clauses of Section XV. Regulation XXXI. of 1793, and the corresponding Clauses of Section XV. of Regulation XXXVII. of 1803, Rules are prescribed for the conduct of Commercial Residents, in carrying on Trade for themselves; and whereas the Seventh, Eighth and Tenth Clauses, of the abovementioned Sections, have not been construed to prohibit Commercial Residents from being engaged in partnership concerns in Trade, and it being deemed

deemed expedient strictly to prohibit Commercial Residents, and their Assistants from having concerns in partnership with any person or persons under any modification whatever, and it being also expedient clearly to define what is meant by the partnership transactions which are prohibited, the following additional Rules have been enacted, to be in force from the period of their promulgation.

Commercial Residents & their Assistants prohibited from engaging in any commercial transactions in partnership with others, and partnership concerns, now existing to be dissolved on or before the 31st December 1826.

II. Commercial Residents and their Assistants, are strictly prohibited from engaging in any Commercial transaction in partnership with any person or persons, under any modification whatever, and any of the said Commercial Servants, who may now be actually so engaged, are required to dissolve such partnership concern, on or before the 31st December 1826, and to give to the Board of Trade a declaration in writing, that such partnership is dissolved.

But are not forbidden from becoming Members of Insurance Companies, or Contributors to a Tontine or parties in any general association.

III. It is hereby declared, that the Rule enacted by the preceding Section, is not to be construed to forbid Commercial Residents or their Assistants, from becoming Members of Insurance Companies, or from being contributors to a Tontine or parties in any general association, the objects of which were not contemplated by Section XV. Regulation XXXI. of 1793, and by Section XV. Regulation XXXVII. of 1803.

A D. 1825. REGULATION XIII.

Myatt Behsan

A REGULATION *to maintain the settlement made for certain Lands held exempt from the payment of Revenue by Canoongoes, in the Province of Behar; and to provide for the future settlement of such Lands, as well as of the Lands composing other resumed Lakheraj tenures, with the present occupants, when so directed by Government:—* PASSED *by the Governor General in Council on the 7th July* 1825, *corresponding with the* 25*th Assaur* 1232 *Bengal era; the 7th Sawun* 1232 *Fusly; the* 26*th Assaur* 1232 *Willaity; the 7th Sawun* 1882 *Sumbut; and the* 19*th Zekaad* 1240 *Higeree.*

Preamble.

WHEREAS it was enacted by Section V. Regulation II. of 1816, that the Revenue of Lands held by Canoongoes, generally in the Province of Behar, in virtue of their offices,

offices, should be liable to resumption; and accordingly under that Law, various resumptions of Lands so held took place, and the parties to whom the Zemindaree interest in the same appeared to belong, were admitted to engage for the Government Revenue; but on the consideration of the proceedings held under the provisions of the above rule, it appeared to the Governor General in Council to be improper wholly to deprive the Canoongoes, or their representatives, of the advantages derived from such Lands, and enjoyed by them for a long course of years; and it was accordingly resolved by Government, on the 14th February 1822, that in cases where the Lands had been occupied and managed by the Canoongoes, or their representatives, and the rents received by them, they should be replaced in possession of such Lands, and a settlement made with them on the principle prescribed by Clause Second Section VIII. Regulation XIX. of 1793, viz. the Revenue to be paid to Government to be equal to one-half of the annual produce (or rental) of the Lands, calculated according to the rates at which other Lands in the Pergunnah of a similar description may be assessed, securing to the proprietors of the soil such Malikana or other allowance, as they might have received prior to the resumption of the official Minhye tenure; and Whereas the existing Laws relative to the settlement of resumed Lakheraj tenures, are not properly applicable to the case; and it appears to be expedient expressly to provide for the maintenance, by the Courts of Judicature, of the arrangement above described, in order that the Canoongoe Minhyedars may be secured in the possession, (subject to the quit-rent fixed by Government) of the Land, rents, and

produce

produce, heretofore possessed by them; and Whereas it is desirable to provide for the settlement, on the same principle, of any Lands that may be resumed under the corresponding rules relating to Canoongoes, and their official tenures, in other parts of the Country; and Whereas it appears to be generally expedient to make a distinct provision for securing to the holders of Lakheraj Lands, resumed by the Officers of Government, and assessed on the principle prescribed in Clause Second Section VIII. Regulation XIX. 1793, the benefits which that Law was designed to bestow; and to declare the competency of Government in other cases to continue the persons, who have heretofore occupied Lands free of assessment, or their representatives, in the possession of the same, notwithstanding such Lands being made subject to assessment; the following rules have been enacted for these purposes respectively, to be in force throughout the Territories subject to the Presidency of Fort William from the date of the promulgation of this Regulation.

II. In cases of Lakheraj tenures resumed under the provisions of Regulation IV. 1808, Regulations II. and V. 1816, or any other Regulation in force, relative to lands held by Canoongoes by virtue of their offices, where the Minhye or Lakheraj tenure, and the right of property in the Land, are vested in distinct parties, it shall be competent to the Governor General in Council, by instruction to the Revenue Board, or other authority, empowered to make the resumption, to continue the Minhyedars and their heirs, in possession and management of such Lands, subject to such assessment as he shall judge it proper to direct: and the parties claiming

Under certain circumstances Minhyedars and their heirs may be continued by Government in possession of resumed Lands heretofore held as Lakheraj tenures by Canoongoes.

Subject to assessment.

Restriction on parties claiming Zemin-

claiming the Zemindaree interest, or other proprietary right in such Mehals, shall not be entitled to any Land-rent, produce, or profit beyond what they may have enjoyed up to the period of the resumption of the tenure, or would have been entitled to receive, in the event of Government having confirmed the same in perpetuity, free of assessment. Persons consequently claiming to be Maliks of the said Lands, who, during the continuance of the Lakheraj tenure, had not possession of the same, whether they received a Malikana allowance, or otherwise, shall not disturb the possession of the Minhyedars, or their heirs and representatives, in any case wherein the Governor General in Council may have sanctioned such possession; and any suit preferred by such persons in a Court of Judicature, to recover possession, contrary to the intent and meaning of this rule, shall be dismissed with costs. Provided, however, that in all cases of the nature above mentioned, wherein the Zemindar, or other proprietor of the Land, may have received Malikana, or other proprietary due, during the existence of the Lakheraj tenure, he shall continue to receive the same, notwithstanding the resumption of the Lakeraj, in like manner, as if such resumption had not taken place.

daree interest or other proprietary right.

Who are prohibited from disturbing the possession of Minhyedars whose possession has been sanctioned by Government.

Proviso.

III. The tenures of the Minhyedars which have been confirmed to them, with the sanction of Government, by the arrangement referred to in the Preamble of this Regulation, or which may be so confirmed, in conformity with the preceding Section, are declared to be hereditary and transferrible: but should they escheat to Government, the parties possessing a Zemindaree interest or other proprietary right in

The tenures of Minhyedars so situated declared to be hereditary and transferrible, but should they escheat to Government the parties possessing Zemindarree interest will be admitted to engage for the revenue, subject to a fresh assessment.

in the Lands, will be admitted to engage for the Revenue, subject to a fresh assessment, to be adjusted on the actual assets under the general Regulations.

The principles of the above Sections to be applicable to all cases of Lakheraj resumptions coming within certain rules.

IV. The principles of Sections II. and III. of this Regulation shall be considered applicable to all cases of Lakheraj resumption under the general Regulations in force, which may come within the favorable rule of assessment contained in the Second Clause of Section VIII. Regulation XIX. 1793, in the Provinces of Bengal, Behar, and Orissa; or the Second Clause of Section VIII. Regulation XLI. 1795, in the Province of Benares, it being the evident intention of the Rule in question that it should be applied to persons who had been long in possession of the Lakheraj tenures made subject to assessment by the Regulations above cited; and whom it appeared equitable, in consideration of their long possession, to leave in occupancy of the Lands composing their respective tenures, at a moderate assessment, not exceeding a moiety of the annual rent produce.

Modifications of former Regulations relative to the settlement of resumed Jageer, Altumgha, Mududmash, Ayma or other Badshahee grants and to the resumption of Lakheraj tenures.

V. In modification of the existing Rules contained in Regulations XXXVII. 1793, XLII. 1795, and XXXVI. 1803, or any other Regulation in force, relative to the settlement of resumed Jageer, Altumgha, Mududmash, Ayma, and other grants of Land termed Badshahee, or Royal; and generally in qualification and explanation of all the Rules in force relative to the resumption of Lakheraj tenures, and the future assessment of lands composing the same; it is hereby further declared, that whenever such tenures may be pronounced invalid, or extinct, by a Revenue Board, or

other

other authority empowered to investigate the Lakheraj title in such tenures, under the provisions of Regulation II. 1819, or of any other Regulation in force, it shall be competent to the Governor General in Council, on a special report of the circumstances of the case, when it may appear just and proper, in consideration of the long possession of the actual occupant of the Land or of his ancestors, to direct his continuance in possession though not the Zemindar, Talookdar, or other Malik of the Land, on his engaging for the future assessment, on such terms as may be prescribed by Government, and in such cases the whole of the provisions contained in Sections II. and III. of this Regulation, shall be deemed applicable, and be maintained by the Courts of Judicature accordingly.

A. D. 1825. REGULATION XIV.

A REGULATION *to declare the extent of the authority possessed by the Revenue authorities, subordinate to the Governor General in Council, in the confirmation of Lakheraj Tenures; to define the principles to be followed in determining on the force and validity of grants made by Persons, exercising authority in different quarters previously to the acquisition of the Country by the British Government; and to provide for the due application of the general Laws and Regulations respecting Lands held free of Assessment, to the Territory Ceded by Govind Rao to the British Government; and annexed to the Zillah of Bundlecund, under the Provisions of Regulation II.* 1818:—PASSED *by the Governor General in Council on the* 14*th July* 1825, *corresponding with the* 32*d Assar* 1232 *Bengal*

1232 *Bengal Era; the* 14*th Sawun* 1232 *Fusly; the* 1*st Sawun* 1232 *Willaity; the* 13*th Sawun* 1882 *Sumbut, and the* 26*th Zekaad* 1240 *Higeree.*

Preamble.

WHEREAS doubts have arisen as to the extent of the authority possessed by the Revenue authorities subordinate to the Governor General in Council, in regard to the confirmation of Lakheraj tenures, which it is expedient to remove; and it is also desirable further to define the principles to be followed in determining on the force and validity of grants made by persons, exercising authority in different quarters, previously to the acquisition of the Country by the British Government; and it is necessary to make provision for the due application of the general rules in force, relative to Lakheraj tenures, to the Territory Ceded by Govind Rao to the British Government, and annexed to the Zillah of Bundlecund under the provisions of Regulation II. 1818, and whereas it is enacted by Clause first, Section XXVI. Regulation II. 1819, that in Suits instituted in the Zillah Courts to contest the decisions passed by the Revenue Boards, under the provisions of that Regulation, a special appeal only shall lie to the Provincial Courts, and that in like manner in cases decided in the first instance by a Provincial Court, excepting cases ultimately appealable to the King in Council, an appeal shall be received by the Sudder Dewanny Adawlut on special grounds only; and it appears to be expedient that the above restriction should not apply to cases wherein the decision of the Court may be opposed to the judgment of the Board

of

of Revenue or other Authority, exercising the powers of that Board, but that such cases should be open to a regular appeal; the following rules have been enacted, in addition to, and in modification of, the Provisions of Regulations XIX. and XXXVII. 1793, Regulations XLI. and XLII. 1795, Regulations XXXI. and XXXVI. 1803, of such parts of Regulations VIII. and XII. 1805, as refer to Lakheraj lands, and of Regulation II. 1819; to be in force from the date of their promulgation, throughout the Provinces immediately subject to the Presidency of Fort William.

Lakheraj tenures declared not to be valid, except when granted or confirmed under the Sanction of Government.

II. It is hereby declared and enacted that the power of granting Lakheraj tenures, viz. tenures of land exempt from the public Assessment, either for life, or in perpetuity, as well as of confirming such tenures excepting by a regular judgment passed after a judicial enquiry, belongs and always has belonged exclusively to the Supreme Government; and no act, order, or decision, granting or confirming any tenure as aforesaid, within any of the Territories subordinate to this Presidency, after the annexation of such territories to the British Dominions, shall be held valid, unless the same shall have been done, issued, or passed, by or under the immediate directions of the Governor General in Council; or by some Officer expressly authorized by Government to grant or confirm such tenures, or with respect to the Confirmation of grants duly authorized, by some competent Court of Judicature in a Suit regularly tried and decided by it; or by one of the Revenue Boards acting in a judicial capacity, under the rules of Regulation VIII. 1811, whilst that Regulation (rescinded by Section II. of Regulation II. 1819.) was

Or confirmed by a competent Court of Judicature, in a Suit regularly tried and decided, or by a Revenue Board acting under special rules in a Judicial Capacity.

was in force; and subsequently under the rules of Regulation II. 1819, or any other Regulation expressly empowering the Revenue Boards, after full investigation of Claims to exemption from Assessment under the general rules applicable to Lakheraj tenures, to pronounce a decision against the Assessment, to be considered final, except on proof in a Court of Judicature, of fraud or collusion in the previous enquiry. Provided also that no Resolution or Order passed by the Lieutenant Governor, and the Board of Commissioners in the Ceded and Conquered Provinces, the Board of Revenue, or other Authority exercising the powers of that Board, whereby the right of Government to Assess any Lakheraj lands may have been relinquished, or postponed, save and except decisions regularly passed according to the rules above cited, shall operate to the prejudice of Government, or be held to bar the Revenue Authorities from proceeding for the recovery of the public dues under the provisions of Regulation II. 1819, or any other rules in force, relative to the Resumption of Lakheraj tenures, held under invalid grants.

Right of Government to Assess Lakheraj Lands not barred by Resolutions or Orders of certain Officers and Authorities, except as above excepted.

III. *First.* The following principles are to be observed in determining the force and validity of grants made by Persons exercising Authority in the Provinces subordinate to this Presidency, previously to the acquisition of the Country by the British Government.

Rules for trying the validity of grants made by persons previously to the acquisition of the country by the British Government.

Second. Lakheraj tenures, of which uninterrupted possession shall have been held exempt from Assessment at and subsequently to the periods undermentioned, shall be and be considered

Lakheraj tenures of which uninterrupted possession shall have been held exempt from Assessment at and after certain dates, to be held valid.

considered to be valid, without evidence to any formal grant or confirmation, of the same; and shall be continued to Heirs in cases in which it may be clearly shewn from the nature and denomination of the tenure, that it is hereditary according to the ancient usage of the Country: viz. The 12th August 1765, if the tenure be in Bengal Behar or Orissa, (excepting Cuttack): The 14th October 1791, if the tenure be in Cuttack including Puttaspore or its dependencies; The 1st July 1775, if the tenure be in the Province of Benares; The 10th November 1789, if the tenure be in the Provinces Ceded by the Nuwaub Vizier in November 1801; The 1st January 1792, if in any of the Provinces Ceded by Dowlut Rao Scindia and the Peshwa under the treaties of the 16th and 30th December 1803; The 1st November 1805, if in the Pergunnah of Khandah or other territory Ceded by Nana Govind Rao on the 1st November 1817. Provided, however, that the above rule shall not apply to Cases of derivative tenures, wherein it may appear that the tenure is derived from a Jageerdar or other Person, who at any of the periods above specified held lands free of Assessment under a temporary or conditional tenure. In all such cases, the parcels of the land so held shall follow the condition of the principal tenure: and if that be resumable, will consequently be liable to resumption.

And in certain cases continued to Heirs.

Proviso in cases of a derivative tenure from a Jageerdar or other person, who held rent-free Lands under a temporary or conditional tenure.

In such cases parcels of Land so held to follow the condition of the principal tenure.

Third. The proof of possession in the cases provided for by the preceding Clause, and (in the case of persons not the original grantees) of the hereditary nature of the tenure, shall be on the parties claiming to hold or recover the Lakheraj tenure: the general principle being, that the ruling power

The proof of the title to rest with the persons claiming to hold or recover the Lakheraj tenure.

power is entitled to a certain proportion of the produce of every beegah of land, excepting so far as it shall have transferred, relinquished, or compounded its right thereto; and all parties claiming the benefit of such exceptions being bound to establish their respective claims and titles.

One or more successions to any tenure, previous to the periods above specified not to establish a title of inheritance, unless it be of a hereditary nature.

Fourth. Provided also, that although one or more successions to any tenure as aforesaid may have taken place before the periods specified in the Second Clause, the fact shall not be taken to establish a title of inheritance, unless the tenure be clearly of an hereditary nature; or unless the right of inheritance therein shall have been admitted by the Governor General in Council, on a reference made to Government according to the Rules in force applicable to such cases.

The Courts of Judicature and Revenue Authorities shall not recognise any Potentate or authorities, savethe persons described in this Clause, to have been vestedwith supreme power.

Fifth. The Courts of Judicature and Revenue Authorities shall not recognise any Potentate, or person, as having been vested with the Supreme power within any part of the Provinces subordinate to this Presidency, save and except the Kings of Delhee, the Soobadars of Bengal, Behar and Orissa, and the several Authorities, specified in Regulation XLII. 1795, Regulation XXXVI. 1803, and Regulations VIII. and XII. 1805; and with respect to the Territory Ceded by Nana Govind Rao, save and except Rajah Chuttersaul, and his predecessors, previously to the Mahratta Conquest of that territory in the year 1802 of the Sumbut Era (corresponding with 1730, of the Christian Era) and subsequently thereto his Highness the Peshwa, who then obtained the Supreme Authority in the territory referred to. If in any case grants shall be produced, purporting to have been made or confirmed

confirmed by any other person than as aforesaid, alleged to have been vested with the Supreme power for the time being; and it shall appear to the Court or other Authority investigating the same, that the plea is well founded, the Court or other Authority before whom the case may be depending, shall, before passing any decision thereupon, refer the point to the Governor General in Council, and be guided by his determination.

Sixth. To the validity of grants made or confirmed by the Kings of Delhee, or by any of the rulers aforesaid, it is and shall be held to be necessary;

Conditions requisite to establish the validity of grants made by the Kings of Delhee or other of the authorities above specified.

1st. That they were made or confirmed within the period, during which the person granting or confirming the same possessed and exercised Supreme power within the territory in which the lands specified in the grant are situate.

2d. That the grantee actually and bonâfide obtained possession of the land granted within the said period.

3d. That the grant was not subsequently resumed by the Officers or the orders of the Government for the time being, previously to the acquisition of the Country by the British Government, or, if so resumed, that the competence of the Officer to resume shall have been expressly disallowed by the Governor General in Council.

Seventh. The following shall be held for the purposes specified in this Regulation to be the periods at which the several

Specification of the periods at which the several Provinces subordinate to the Presidency of Fort

William were acquired by the British Government.

several Provinces subordinate to this Presidency were acquired by the British Government, viz. for Bengal, Behar, and Orissa, (excepting Cuttack) the 12th August 1765: for Benares the 1st July 1775; for the Provinces Ceded by the Nuwaub Vizier the 1st January 1801: for the Provinces Ceded by Dowlut Rao Scindia and the Peshwa the 1st January 1803; for the Province of Cuttack, Puttaspore, and its dependencies, the 14th October 1803: for the Pergunnah Khandah and the other territory Ceded by Nana Govind Rao, the 1st November 1817.

Conditions necessary to the validity of grants not made or confirmed by the Supreme Power.

Eighth. To the validity of grants not made or confirmed by the Supreme Power, (excepting tenures of long possession, described in the Second Clause of this Section) it shall be held to be necessary;

1st. That they were made or confirmed by some authority which the Governor General in Council shall have expressly declared competent to make or confirm the same.

2d. That the grantee actually and bonâfide obtained possession of the land granted; and that the revenue of the land was not subsequently resumed by competent authority.

Certain questions regarding Lakheraj tenures, resumed previously to the acquisition of the country by the British Government, to be decided by the Governor General in Council.

Ninth. Provided also that in cases in which any Lakheraj tenure may have been resumed previously to the acquisition of the country by the British Government, the determination of the question, whether the Officer, by whom, or by whose order the resumption may have been made, was legally competent to do so, shall in all cases, wherein it

may

may be necessary to determine this question, rest with the Governor General in Council. Moreover, all questions, touching the validity of grants made or confirmed by any officer subordinate to the Supreme power, or the legal effect of resumption by any such Officer, which may not have been expressly provided for by the Regulations, and which may be material to the decision of any Suit, or Inquiry, shall be referred by the Courts of Judicature, or other authorities, making the investigation, to the Governor General in Council for determination; unless the powers and competence of the Officer in question shall have been previously determined by Government.

Further questions to be referred to the Governor General in Council.

IV. Nothing in this Regulation shall be construed to affect the Provisions contained in Regulation XIX. 1793, Regulation XLI. 1795, Regulation XXXI. 1803, and Regulation XII. 1805 relative to lands, not exceeding 10 Beegahs, of which the produce is bonâfide appropriated to Religious or Charitable uses.

The present Regulation not to be applicable to Lands not exceeding 10 Beegahs, the produce of which is appropriated to religious or charitable uses.

V. Decisions passed by any Court of Judicature before the promulgation of this Regulation, in opposition to the principles therein declared, without due regard to the restricted powers of the revenue authorities as defined in this Regulation, shall be open to revision in the Court wherein the case may have been decided; as well as to a regular, as special appeal, (according as the case may have been already decided on appeal or otherwise) notwithstanding the elapse of time since the decision was passed: provided that the petition for a review, or appeal, be presented to the proper Court,

Decisions passed before the promulgation of the present Regulations, in opposition to the principles declared, shall be open to revision in the Court wherein the case was decided, and to appeals.

Court, in the manner prescribed by the Regulations, within one year after the promulgation of this Regulation; or if presented at a later period, that good and sufficient reason be assigned for the delay. Provided further, that if the decision shall have been passed by a Provincial Court, or by the Court of Sudder Dewanny Adawlut, it shall be competent to a majority of the Judges of such Court to admit the petition for a review, and to try and decide the case anew under the Provisions of this Regulation, whether they may have joined in passing the former decision or not; the restriction in Section III, Regulation II, 1825, being hereby, as a special exception, declared inapplicable to such cases.

Proviso.

Modification of Section XXVI, Regulation II. 1819.

VI. In modification of the Rules contained in Section XXVI, Regulation II. 1819, it is hereby enacted, that in cases wherein a Zillah Court shall annul or alter a judgment passed by the Board of Revenue, or other authority exercising the powers of that Board, under the provisions of the abovementioned Regulation, a regular appeal shall lie to the Provincial Court. In like manner, in cases tried in the first instance by a Provincial Court, if the decision of that Court shall reverse or alter the judgment of the Board of Revenue or other authority aforesaid, a regular appeal shall lie to the Court of Sudder Dewanny Adawlut, although the amount in contest shall be less than Five Thousand Pounds Sterling. The provisions of the abovementioned Section shall however still be applicable to cases in which the Zillah or Provincial Courts may maintain the decisions of the Revenue Boards, or other Authorities exercising the Powers of these Boards.

A. D. 1825. REGULATION XV.

A REGULATION *to make certain alterations in the Rates of Duty charged, and Drawbacks allowed on Goods imported or exported by Sea at the Port of Calcutta, or any other Place within the Territories immediately subordinate to the Presidency of Fort William; and to amend and consolidate the Rules in force relative to such Duties and Drawbacks.* —PASSED *by the Governor General in Council on the* 14*th July* 1825, *corresponding with the* 32*d Assaur* 1232 *Bengal era; the* 14*th Sawun* 1232 *Fusly; the* 1*st Sawun* 1232 *Willaity; the* 13*th Sawun* 1882 *Sumbut; and the* 26*th Zekaada* 1240 *Higeree.*

WHEREAS in pursuance of a Treaty recently concluded between the British Government and the Government of the Netherlands, it has become necessary to alter the Rates of Preamble.

of Duty chargeable on Goods imported and exported on Foreign Bottoms: and whereas it has also appeared to be expedient to reduce, in certain cases, the Duties now levied or retained on Goods imported and exported on British Bottoms; and whereas it will essentially promote the public convenience, to consolidate and simplify the existing Rules (modified as aforesaid) relative to the Duties and Drawbacks to be charged or allowed, on Imports and Exports by Sea, the following Rules have been enacted to be in force from the date of their promulgation.

Rescission of existing provisions.

II. *First.* Such parts of the Rules contained in Regulation IX. 1810, Regulation III. 1811, Regulation XII. 1813, Regulation IV. 1815, Regulations XV. XVI. and XXI. 1817, Regulation V. 1820, and Regulation V. 1823, as have reference to the Rate of Duty to be levied, or the Drawback to be allowed, on Goods imported or exported by Sea at Calcutta, or any other Port or Place within the Territories immediately subordinate to the Presidency of Fort William, are hereby rescinded

Ditto.

Second. Regulation X. 1816, is also hereby rescinded.

Certain provisions to continue rescinded or modified.

Third. The several Provisions which were rescinded or modified by the Rules above-mentioned shall continue to be respectively rescinded or modified, as before the enactment of this Regulation.

Imports by Sea to be charged with duties, specified in Schedule No. 1, annexed to this Regulation.

III. *First.* Goods imported by Sea into Calcutta or any

any other Port or Place belonging to the Presidency of Fort William, on British or on Foreign Bottoms, shall be severally subject to the Duties specified in the Schedule No. I, annexed to this Regulation, with the exceptions therein stated. Provided, however, that the Rules contained in Section V. Regulation XXI. 1817, shall still be applicable to Goods, which may be originally imported by Sea on a British Bottom, at any Port in the Territories subject to the British Government in India; and shall afterwards be re-exported to Calcutta, or any Port immediately dependent on this Presidency.

Proviso.

Second. Goods imported by Sea as aforesaid, and charged with an Import Duty under the above Rule, shall, on Re-exportation, be allowed a Drawback at the several Rates, specified in the Schedule No. II, annexed to this Regulation: and no Drawback of Import Duty shall be granted, excepting as therein specifically allowed.

Re-exports to be allowed a drawback as specified in Schedule No. II.

Third. Articles, the produce or manufacture of Calcutta, or of the Interior of the Country, shall, on Exportation by Sea, be respectively passed Free, or subjected to Duty, or allowed a Drawback, according to the directions contained in the Schedule No. III, annexed to this Regulation; and the said Schedule, together with those mentioned in the two preceding Clauses, shall be, and be considered, a part of this Regulation.

Duties chargeable & drawbacks allowed on articles, the produce and manufacture of the country, when exported by sea, to be regulated by Schedule No. III.

SCHEDULE No. I.

Rates of Duty chargeable on Goods Imported by Sea into Calcutta, or any Port or Place belonging to the Presidency of Fort William.

Enumeration of Goods.	*Imported on a British Bottom.*	*Imported on a Foreign Bottom.*
1st. Goods, the Produce or Manufacture of the United Kingdom.		
1. Bullion and Coin, ...	Free.	Free.
2. Horses, ...	Free.	Free.
3. Marine Stores, ...	Free.	2½ per Cent.
4. Metals, wrought and unwrought, ..	Free.	2½ per Cent.
5. Opium, ...	24 Rs. a Seer of 80 Sa. Wt.	48 Rs. a Seer of 80 Sa. Wt.
6. Precious Stones and Pearls, ..	Free.	Free.
7. Salt, ...	3 Rs. a Maund of 82 Sa. Wt. per seer. ...	6 Rs. a Maund of 82 Sa. Wt. per Seer.
8. Spirituous Liquors, ...	10 per Cent.	20 per Cent.
9. Tobacco, ...	4 Annas a Maund of 80 Sa. Wt. per Seer. ...	8 Annas a Maund of 80 Sa. Wt. per Seer.
10. Wines, ...	10 per Cent.	20 per Cent.
11. Woollens,.....	Free.	2½ per Cent.
Articles not included in the above Eleven Items, ...	2½ per Cent.	5 per Cent.
2d. Goods, the Produce of Foreign Europe, or of the United States of America.		
1. Arrack at a fixed valuation of £30 per Cask of 126 Gallons, ...	10 per Cent.	20 per Cent.
2. Bullion and Coin, ...	Free.	Free.
3. Horses, ...	Free.	Free.
4. Opium, ...	24 Rs. a Seer of 80 Sa. Wt.	48 Rs. a Seer of 80 Sa. Wt.
5. Precious Stones and Pearls, ..	Free.	Free.
6. Salt, ...	3 Rs. a Maund of 82 Sa. Wt. per Seer. ...	6 Rs. a Maund of 82 Sa. Wt. per Seer.
7. Spirits, ...	10 per Cent.	20 per Cent.
8. Tobacco, ...	4 Annas a Maund of 80 Sa. Wt. a Seer. ...	8 Annas a Maund of 80 Sa. Wt. per Seer.
9. Wines, ...	10 per Cent.	20 per Cent.
Articles not included in the above Nine Items, ...	5 per Cent.	10 per Cent.
3d. Goods, the Produce or Manufacture of Places, other than the United Kingdom, Foreign Europe, or the United States of America.		
1. All Spice, ...	10 per Cent.	20 per Cent.
2. Aloe Wood, ...	7½ ditto.	15 ditto.
3. Altah, ...	7½ ditto.	15 ditto.
4. Alum, ...	10 ditto.	20 ditto.
5. Ambergris, ...	7½ ditto.	15 ditto.
6. Arrack, Batavia, ...	55 Sa. Rs. per Leagur. ...	110 Sa. Rs. per Leagur.
7. Arrack, from Foreign Territories in Asia, ...	30 Sa. Rs. per Leagur. ..	60 Sa. Rs. per Leagur.
8. Arsenic, White, Red, or Yellow, ...	10 per Cent.	20 per Cent.
9. Assafœtida, ...	10 ditto.	20 ditto.
10. Awl Root, or Morinda, ...	7½ ditto.	15 ditto.
11. Beads, Malas or Rozaries, ...	7½ ditto.	15 ditto.
12. Beetle Nut, (Customs)	7½ ditto, ...	15 ditto.
Ditto, (Town Duty)	5 ditto.	10 ditto.
13. Benjamin, or Loban, ...	7½ ditto.	15 ditto.
14. Brandy, from Foreign Territories in Asia, ...	30 ditto.	60 ditto.

	Enumeration of Goods.	*Imported on a British Bottom.*	*Imported on a Foreign Bottom.*
15.	Brass, wrought and unwrought, ...	10 per Cent.	20 per Cent.
16.	Brimstone, ...	10 ditto.	20 ditto.
17.	Brocades and Embroidered Goods, ...	7½ ditto.	15 ditto.
18.	Buhera, or Myrobolan, ...	10 ditto.	20 ditto.
19.	Buckum, or Sappan Wood, ...	7½ ditto.	15 ditto.
20.	Bullion and Coin, ...	Free.	Free.
21.	Calizeerah, or Nigellah, ...	7½ per Cent.	15 per Cent.
22.	Camphire, ...	10 ditto.	20 ditto.
23.	Canvas,—Excepting Canvas made of Sunn or Hemp, or other Material the Growth or Manufacture of places subject to the Government of the East India Company, which is exempted from charge of Duty on Importation by Sea, ...	5 ditto.	10 ditto.
24.	Cardamums, ...	7½ ditto.	15 ditto.
25.	Carriages and Conveyances, ...	7½ ditto.	15 ditto.
26.	Cassia, ...	10 ditto.	20 ditto.
27.	Chanks, ...	7½ ditto.	15 ditto.
28.	Cherayta, ...	10 ditto.	20 ditto.
29.	China Goods, or Goods from China, not otherwise enumerated in this Table,	7½ ditto.	15 ditto.
30.	Cloves, ...	10 ditto.	20 ditto.
31.	Cochineal, or Crimdanah, ...	7½ ditto.	15 ditto.
32.	Coffee, ...	7½ ditto.	15 ditto.
33.	Coir, the Produce of Places not subject to the Government of the East India Company in India, ...	5 ditto.	10 ditto.
34.	Coin and Bullion, ...	Free.	Free.
35.	Columbo Root, ...	10 per Cent.	20 per Cent.
36.	Coosum Fool, or Safflower, ...	7½ ditto.	15 ditto.
37.	Copal or Kahroba, ...	10 ditto.	20 ditto.
38.	Copper, wrought and unwrought, ..	10 ditto.	20 ditto.
39.	Coral, ...	10 ditto.	20 ditto.
40.	Cordage, — Excepting Cordage made of Sunn, Hemp or other Material, the produce of Places subject to the Government of the East India Company which shall be exempt from the charge of Duty on Importation by Sea.	5 ditto.	10 ditto.
41.	Crimdanah, or Cochineal, ...	7½ ditto.	15 ditto.
42.	Dhye Flower, ...	7½ ditto.	15 ditto.
43.	Elephant's Teeth, ...	7½ ditto.	15 ditto.
44.	Embroidered Goods and Brocades, ...	7½ ditto.	15 ditto.
45.	Frankincense, or Gundiberoza, ...	7½ ditto.	15 ditto.
46.	Galbanum, ...	10 ditto.	20 ditto.
47.	Galingall, ...	7½ ditto.	15 ditto.
48.	Ghee, (Customs,)	5 ditto.	10 ditto.
	Ditto, (Town duty,)	10 ditto.	20 ditto.
49.	Gin, from Foreign Territories in Asia, ...	30 ditto.	60 ditto.
50.	Goopee Muttee, or Yellow Ochre, ...	10 ditto.	20 ditto.
51.	Goomootoo, Sunn and Hemp, ...	Free.	Free.
52.	Gum Arabic, ...	10 per Cent.	20 per Cent.
53.	Gundiberoza, or Frankincense, ...	7½ ditto.	15 ditto.
54.	Hemp, Sunn or Goomootoo, ...	Free. ..	Free.
55.	Hurrah, or Myrobolan, ...	10 per Cent.	20 per Cent.
56.	Horses, ...	Free.	Free.
57.	Hursinghar Flower, ...	7½ ditto.	15 ditto.
58.	Hurtaul, or Orpment, or Yellow Arsenic,	10 ditto.	20 ditto.
59.	Iron, wrought or unwrought, ..	10 ditto.	20 ditto.
60.	Ivory, ...	7½ ditto.	15 ditto.
61.	Juttamunsee, or Spikenard, ..	10 ditto.	20 ditto.
62.	Kullinjun, ...	7½ ditto.	15 ditto.
63.	Lead, pig, sheet, milled, and small shot, ..	10 ditto.	20 ditto.
64.	Loadh, ...	7½ ditto.	15 ditto.
65.	Loban, or Benjamin, ...	7½ ditto.	15 ditto.

	Enumeration of Goods.	*Imported on a British Bottom.*	*Imported on a Foreign Bottom.*
66.	Mace,	10 per Cent.	20 per Cent.
67.	Madder, or Munjeet,	7½ ditto.	15 ditto.
68.	Mahogany, and all other sorts of Wood used in Cabinet-work,	7½ ditto.	15 ditto.
69.	Mastick,	10 ditto.	20 ditto.
70.	Minium, or Red Lead,	10 ditto.	20 ditto.
71.	Morinda, or Awl Root,	7½ ditto.	15 ditto.
72.	Munjeet, or Madder,	7½ ditto.	15 ditto.
73.	Musk,	7½ ditto.	15 ditto.
74.	Myrobolans, viz. Buhera, Hurra and Ownla,	10 ditto.	20 ditto.
75.	Myrrh,	10 ditto.	20 ditto.
76.	Nutmegs,	10 ditto.	20 ditto.
77.	Oils, Vegetable or Animal, (Customs,)	7½ ditto.	15 ditto.
	Ditto ditto, (Town duty,)	5 ditto.	10 ditto.
78.	Oil Seeds, (Customs,)	7½ ditto.	15 ditto.
	Ditto, (Town duty,)	5 ditto.	10 ditto.
79.	Oils, perfumed or essential, or Otter and Fooleyl Teyll,	7½ ditto.	15 ditto.
80.	Opium, Foreign,	24 Rs. per Seer of 80 Ca. Sa. Wt.	48 Rs. per Seer of 80 Ca. Sa. Wt.
81.	Orpiment, or Yellow Arsenic or Hurtaul,	10 per Cent.	20 per Cent.
82.	Otter, or Essential Oils,	7½ ditto.	15 ditto.
83.	Ownla, or Myrobolan,	10 ditto.	20 ditto.
84.	Pepper, black and white,	10 ditto.	20 ditto.
85.	Piece Goods—Cotton, Silk, and partly Cotton and partly Silk, the Manufacture of the Hon'ble Company's Territories in India,	2½ ditto.	5 ditto.
86.	Ditto ditto ditto, when not the Manufacture of the Hon'ble Company's Territories in India,	7½ ditto.	15 ditto.
87.	Pimento, or All Spice,	10 ditto.	20 ditto.
88.	Pipe Staves,	7½ ditto.	15 ditto.
89.	Precious Stones and Pearls,	Free.	Free.
90.	Prussian Blue,	10 per Cent.	20 per Cent.
91.	Putcha Paut,	7½ ditto.	15 ditto.
92.	Quick Silver	10 ditto.	20 ditto.
93.	Rattans,	7½ ditto.	15 ditto.
94.	Red Sandal Wood,	7½ ditto.	15 ditto.
95.	Red Lead, or Minium,	10 ditto.	20 ditto.
96.	Rose Water,	7½ ditto.	15 ditto.
97.	Rum, from Foreign Territories in Asia,	30 ditto.	60 ditto.
98.	Saffron,	10 ditto.	20 ditto.
99.	Safflower, or Coossoom Fool,	7½ ditto.	15 ditto.
100.	Sago,	7½ ditto.	15 ditto.
101.	Salt, Foreign,	3 Rs. per Maund of 82 Sa. Wt. per Seer.	6 Rs. per Maund of 82 Sa. Wt. per Seer.
102.	Sandal Wood, red, white or yellow,	7½ per Cent.	15 per Cent.
103.	Sappan, or Buckum Wood,	7½ ditto.	15 ditto.
104.	Senna,	10 ditto.	20 ditto.
105.	Soonamookey Leaf,	10 ditto.	20 ditto.
106.	Spikenard, or Juttamunsee,	10 ditto.	20 ditto.
107.	Spirituous Liquors, not otherwise described in this Table,	10 ditto.	20 ditto.
108.	Steel, wrought and unwrought,	10 ditto.	20 ditto.
109.	Storax,	10 ditto.	20 ditto.
110.	Stones, (precious) and Pearls,	Free.	Free.
111.	Sugar, wet or dry, including Joggry and Molasses, (Customs,)	5 per Cent.	10 per Cent.
	Ditto ditto, (Town duty,)	5 ditto.	10 ditto.
112.	Sulphur, or Brimstone,	10 ditto.	20 ditto.
113.	Sunn, Hemp and Goomootoo,	Free.	Free.
114.	Tape,	7½ per Cent.	15 per Cent.

BENGAL SECRET LIBRARY

	Enumeration of Goods.	*Imported on a British Bottom.*	*Imported on a Foreign Bottom.*
115.	Taizepaut, or Malabathrum Leaf, ..	10 per Cent.	20 per Cent.
116.	Tea, ...	10 ditto.	20 ditto.
117.	Teak Timber, ...	Free.	Free.
118.	Thread, ...	7½ per Cent.	15 per Cent.
119.	Tin and Tin Ware, ...	10 ditto.	20 ditto.
120.	Tobacco, (Customs,)	4 Annas per Maund of 80 Sa. Wt. per Seer.	8 Annas per Maund of 80 Sa. Wt. per Seer.
	Ditto, (Town duty,)	10 per Cent.	20 per Cent.
121.	Toond Flower, ...	7½ ditto.	15 ditto.
122.	Tugger Wood, ...	7½ ditto.	15 ditto.
123.	Turmeric, (Customs,)	5 ditto.	10 ditto.
	Ditto, (Town duty,)	5 ditto.	10 ditto.
124.	Tutenague, ...	10 ditto.	20 ditto.
125.	Ugger, or Aloe Wood, ...	7½ ditto.	15 ditto.
126.	Vermillion, ...	10 ditto.	20 ditto.
127.	Verdigrease, ...	10 ditto.	20 ditto.
128.	Wax and Wax Candles, ...	10 ditto.	20 ditto.
129.	Wines and Spirits, not otherwise provided for, ...	10 ditto.	20 ditto.
130.	Wood, of all sorts used in Cabinet-work,	7½ ditto.	15 ditto.
131.	Yellow Ochre, or Goopee Mattee, ..	10 ditto.	20 ditto.
132.	Articles not enumerated above, ...	5 ditto.	10 ditto.

SCHEDULE

SCHEDULE No. II.

DRAWBACK ALLOWED ON RE-EXPORTS.

	IMPORTS ON A BRITISH BOTTOM.				IMPORTS ON A FOREIGN BOTTOM.			
	If re-exported to Europe, or the United States of America.		*If re-exported to places other than Europe, or the United States of America.*		*If re-exported to Europe, or the United States of America.*		*If re-exported to places other than Europe, or the United States of America.*	
	On a British Bottom.	*On a Foreign Bottom.*	*On a British Bottom.*	*On a Foreign Bottom.*	*On a British Bottom.*	*On a Foreign Bottom.*	*On a British Bottom.*	*On a Foreign Bottom.*
1st. *Articles, the produce or Manufacture of the United Kingdom.*								
1. Bullion and Coin,	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil.
2. Horses, ...	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil.
3. Marine Stores, ..	Nil. ..	Nil. ...	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil.
4. Metals, wrought & unwrought,	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil.
5. Opium, ...	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil.
6. Precious Stones and Pearls, ..	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil.
7. Salt, ...	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil.
8. Spirituous Liquors, ..	$\frac{3}{4}$ of Import Duty.	$\frac{1}{2}$ of Import Duty.	$\frac{2}{3}$ of Import Duty.	$\frac{1}{3}$ of Import Duty.	$\frac{7}{8}$ of Import Duty.	$\frac{3}{4}$ of Import Duty.	$\frac{2}{3}$ of Import Duty.	$\frac{2}{3}$ of Import Duty.
9. Tobacco, ..	Whole amount of Import Duty.	$\frac{3}{4}$ of ditto. ..	$\frac{2}{3}$ of ditto. ..	$\frac{1}{3}$ ditto. ..	Whole amount of Import Duty.	$\frac{3}{4}$ ditto. ..	$\frac{2}{3}$ ditto. ...	$\frac{2}{3}$ ditto.
10. Wines, ..	$\frac{3}{4}$ of Import Duty.	$\frac{1}{2}$ of ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto.	$\frac{7}{8}$ of Import Duty.	$\frac{3}{4}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto.
11. Woollens, ..	Nil. ..	Nil. ...	Nil. ..	Nil. ...	Nil. ..	Nil. ..	Nil. ..	Nil.
Articles not included in the above Eleven items, ..	$\frac{2}{3}$ of Import Duty.	$\frac{1}{3}$ of Import Duty.	$\frac{2}{3}$ of Import Duty.	$\frac{1}{3}$ of Import Duty.	$\frac{2}{3}$ of Import Duty.	$\frac{2}{3}$ of Import Duty.	$\frac{2}{3}$ of Import Duty.	$\frac{2}{3}$ of Import Duty.

	IMPORTS ON A BRITISH BOTTOM.				IMPORTS ON A FOREIGN BOTTOM.			
	If re-exported to Europe, or the United States of America.		*If re-exported to places other than Europe, or the United States of America.*		*If re-exported to Europe, or the United States of America.*		*If re-exported to places other than Europe, or the United States of America.*	
	On a British Bottom.	*On a Foreign Bottom.*	*On a British Bottom.*	*On a Foreign Bottom.*	*On a British Bottom.*	*On a Foreign Bottom.*	*On a British Bottom.*	*On a Foreign Bottom.*
2d. *Articles, the Produce or Manufacture of Foreign Europe, or the United States of America.*								
1. Arrack, at a fixed valuation of £30 per Cask of 126 Gallons,	¾ of Import Duty.	½ of Import Duty.	⅔ of Import Duty.	⅓ of Import Duty.	⅞ of Import Duty.	¾ of Import Duty.	⅔ of Import Duty.	⅔ of Import Duty.
2. Bullion and Coin,	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil.
3. Horses, ..	Nil. ...	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil. ...	Nil. ..	Nil.
4. Opium, ..	Nil. ..	Nil. ..	Nil. ..	Nil. ...	Nil. ..	Nil. ..	Nil. ..	Nil.
5. Precious Stones and Pearls,	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil.
6. Salt, ..	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil.
7. Spirits, ..	¾ of Import Duty.	½ of Import Duty.	⅔ of Import Duty.	⅓ of Import Duty.	⅞ of Import Duty.	¾ of Import Duty.	⅔ of Import Duty.	⅔ of Import Duty.
8. Tobacco, ..	Whole amount of Import Duty.	¾ of Import Duty.	⅔ of Import Duty.	⅓ of Import Duty.	Whole amount of Import Duty.	¾ of Import Duty.	⅔ of Import Duty.	⅔ of Import Duty.
9. Wines, ..	¾ of Import Duty.	½ ditto. ..	⅔ ditto. ...	⅓ ditto. ..	⅞ of Import Duty.	¾ ditto. ..	⅔ ditto. ..	⅔ ditto.
Articles not included in the above 9 Items,	⅔ ditto. ...	½ ditto. ..	⅔ ditto. ..	⅓ ditto. ..	¾ ditto. ...	⅔ ditto. ..	⅔ ditto. ..	⅔ ditto.

	IMPORTED ON A BRITISH BOTTOM.				IMPORTED ON A FOREIGN BOTTOM.			
	If re-exported to Europe, or the United States of America.		*If re-exported to places other than Europe, or the United States of America.*		*If re-exported to Europe, or the United States of America.*		*If re-exported to places other than Europe, or the United States of America.*	
	On a British Bottom.	*On a Foreign Bottom.*	*On a British Bottom.*	*On a Foreign Bottom.*	*On a British Bottom.*	*On a Foreign Bottom.*	*On a British Bottom.*	*On a Foreign Bottom.*
3d. Articles, the Produce or Manufacture of places other than Europe, or the United States of America.								
1. All Spice, ..	$\frac{3}{4}$ of Import Duty. ..	$\frac{1}{2}$ of Import Duty. ..	$\frac{2}{3}$ of Import Duty. ..	$\frac{1}{3}$ of Import Duty. ..	$\frac{7}{8}$ of Import Duty. ..	$\frac{3}{4}$ of Import Duty. ..	$\frac{2}{3}$ of Import Duty. ..	$\frac{2}{3}$ of Import Duty.
2. Aloe Wood, ..	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ...	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ...	$\frac{5}{6}$ ditto. ...	$\frac{2}{3}$ ditto. ...	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto.
3. Altah, ..	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ..	$\frac{2}{3}$ ditto. ...	$\frac{1}{3}$ ditto. ...	$\frac{5}{6}$ dittto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto.
4. Alum, ..	$\frac{3}{4}$ ditto. ..	$\frac{1}{2}$ ditto. ..	$\frac{2}{3}$ ditto. ...	$\frac{1}{3}$ ditto. ..	$\frac{7}{8}$ ditto. ..	$\frac{3}{4}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto.
5. Ambergris, ...	$\frac{2}{3}$ ditto. ...	$\frac{1}{3}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ...	$\frac{5}{6}$ ditto. ...	$\frac{2}{3}$ ditto. ...	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto.
6. Arrack, Batavia,	$\frac{11}{12}$ ditto. ...	$\frac{5}{6}$ ditto. ...	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ..	$\frac{23}{24}$ ditto. ..	$\frac{11}{12}$ ditto. ...	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto.
7. Arrack, Manufacture of other Foreign Territories in Asia,	$\frac{11}{12}$ of Import-Duty, ...	$\frac{5}{6}$ of Import Duty. ...	$\frac{2}{3}$ of Import Duty.	$\frac{1}{3}$ of Import Duty.	$\frac{23}{24}$ of Import Duty. ...	$\frac{11}{12}$ of Import Duty. ...	$\frac{2}{3}$ of Import Duty. ..	$\frac{2}{3}$ of Import Duty.
8. Arsenick, White, Red or Yellow,	$\frac{3}{4}$ ditto. ...	$\frac{1}{2}$ ditto. ...	$\frac{2}{3}$ ditto. ..	$\frac{1}{2}$ ditto. ..	$\frac{7}{8}$ ditto. ...	$\frac{3}{4}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto.
9. Assafætida, ..	$\frac{3}{4}$ ditto, ...	$\frac{1}{2}$ ditto. ...	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ...	$\frac{7}{8}$ ditto. ..	$\frac{3}{4}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto.
10. Awl Root, or Morinda, ..	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ...	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ...	$\frac{5}{6}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto.
11. Beads, Malas & Rosaries, ..	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ...	$\frac{5}{6}$ ditto. ..	$\frac{2}{3}$ ditto. ...	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto.
12. Beetlenuts (Customs), ..	$\frac{2}{3}$ ditto. ...	$\frac{1}{3}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ...	$\frac{5}{6}$ ditto. ..	$\frac{2}{3}$ ditto. ...	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto.
Ditto (Town Duty), ..	Whole amount of Duty. ...	Whole amount of Duty. ...	Whole amount of Duty.	Whole amount of Duty.	Whole amount of Duty.	Whole amount of Duty. ..	Whole amount Duty. ..	Whole amount of Duty.

	IMPORTS ON A BRITISH BOTTOM.				IMPORTS ON A FOREIGN BOTTOM.			
	If re-exported to Europe, or the United States of America.		*If re-exported to places other than Europe, or the United States of America.*		*If re-exported to Europe, or the United States of America.*		*If re-exported to places other than Europe, or the United States of America.*	
	On a British Bottom.	*On a Foreign Bottom.*	*On a British Bottom.*	*On a Foreign Bottom.*	*On a British Bottom.*	*On a Foreign Bottom.*	*On a British Bottom.*	*On a Foreign Bottom.*
13. Benjamin, or Loban,.. ..	$\frac{2}{3}$ of Import Duty. ..	$\frac{1}{3}$ ditto. ...	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ...	$\frac{5}{6}$ of Import Duty. ...	$\frac{2}{3}$ ditto. ...	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto.
14. Brandy, Manufacture of Foreign Territories in Asia,	$\frac{11}{12}$ ditto, ...	$\frac{5}{6}$ ditto. ...	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ...	$\frac{23}{24}$ ditto. ..	$\frac{11}{12}$ ditto. ...	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto.
15. Brass & Brass Ware, ..	$\frac{3}{4}$ of Import Duty. ...	$\frac{1}{2}$ of Import Duty. ...	$\frac{2}{3}$ of Import Duty. ...	$\frac{1}{3}$ of Import Duty. ..	$\frac{7}{8}$ of Import Duty. ..	$\frac{3}{4}$ of Import Duty. ..	$\frac{2}{3}$ of Import Duty. ..	$\frac{2}{3}$ of Import Duty.
16. Brimstone, ..	$\frac{3}{4}$ ditto. ...	$\frac{1}{2}$ ditto. ...	$\frac{2}{3}$ ditto. ...	$\frac{1}{3}$ ditto. ...	$\frac{7}{8}$ ditto. ..	$\frac{3}{4}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto.
17. Brocades and Embroidered Goods, ...	$\frac{2}{3}$ ditto. ...	$\frac{1}{3}$ ditto. ..	$\frac{2}{3}$ ditto. ...	$\frac{1}{3}$ ditto. ..	$\frac{5}{6}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto.
18. Buhera, or Myrobolan, ...	$\frac{3}{4}$ of Import Duty. ...	$\frac{1}{2}$ of Import Duty. ..	$\frac{2}{3}$ of Import Duty. ..	$\frac{1}{3}$ of Import Duty. ..	$\frac{7}{8}$ of Import Duty. ...	$\frac{3}{4}$ of Import Duty. ...	$\frac{2}{3}$ of Import Duty. ...	$\frac{2}{3}$ of Import Duty.
19. Buckum or Sappan Wood,	$\frac{2}{3}$ ditto. ...	$\frac{1}{3}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ...	$\frac{5}{6}$ ditto. ..	$\frac{2}{3}$ ditto. ...	$\frac{2}{3}$ ditto. ...	$\frac{2}{3}$ ditto.
20. Bullion & Coin,..	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.
21. Calizeerah, or Nigellah, ...	$\frac{2}{3}$ of Import Duty. ...	$\frac{1}{3}$ of Import Duty. ..	$\frac{2}{3}$ of Import Duty. ...	$\frac{1}{3}$ of Import Duty. ...	$\frac{5}{6}$ of Import Duty. ..	$\frac{2}{3}$ of Import Duty. ..	$\frac{2}{3}$ of Import Duty. ..	$\frac{2}{3}$ of Import Duty.
22 Camphire, ...	$\frac{3}{4}$ ditto. ...	$\frac{1}{2}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ..	$\frac{7}{8}$ ditto. ..	$\frac{3}{4}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto.
23. Canvas, ...	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ...	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ..	$\frac{3}{4}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto. ...	$\frac{2}{3}$ ditto.
24. Cardamums, ...	$\frac{2}{3}$ ditto. ...	$\frac{1}{3}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ..	$\frac{5}{6}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto.
25. Carriages and Conveyances,	$\frac{2}{3}$ ditto. ...	$\frac{1}{3}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ..	$\frac{5}{6}$ ditto. ...	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto.
26. Cassia, ...	$\frac{3}{4}$ ditto. ...	$\frac{1}{2}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ..	$\frac{7}{8}$ ditto. ..	$\frac{3}{4}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto.
27. Chanks, ...	$\frac{2}{3}$ ditto. ...	$\frac{1}{3}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ..	$\frac{5}{6}$ ditto. ..	$\frac{2}{3}$ ditto. ...	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto.
28. Cheraytah, ...	$\frac{3}{4}$ ditto. ...	$\frac{1}{2}$ ditto. ...	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ..	$\frac{7}{8}$ ditto ..	$\frac{3}{4}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto.

	IMPORTS ON A BRITISH BOTTOM.				IMPORTS ON A FOREIGN BOTTOM.			
	If re-exported to Europe, or the United States of America.		*If re-exported to places other than Europe, or the United States of America.*		*If re-exported to Europe, or the United States of America.*		*If re-exported to places other than Europe, or the United States of America.*	
	On a British Bottom.	*On a Foreign Bottom.*	*On a British Bottom.*	*On a Foreign Bottom.*	*On a British Bottom.*	*On a Foreign Bottom.*	*On a British Bottom.*	*On a Foreign Bottom.*
29. China Goods, or Goods from China not otherwise enumerated in this Table,	$\frac{2}{3}$ ditto. ...	$\frac{1}{3}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ..	$\frac{5}{6}$ ditto. ...	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto. ...	$\frac{2}{3}$ ditto.
30. Cloves, ...	$\frac{3}{4}$ ditto. ..	$\frac{1}{2}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{1}{2}$ ditto. ..	$\frac{7}{8}$ ditto. ..	$\frac{3}{4}$ ditto. ..	$\frac{2}{3}$ ditto. ...	$\frac{2}{3}$ ditto.
31. Cochineal or Crimdanah,	$\frac{2}{3}$ ditto. ...	$\frac{1}{3}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ..	$\frac{5}{6}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto.
32. Coffee, ...	$\frac{2}{3}$ ditto. ...	$\frac{1}{2}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{1}{2}$ ditto. ..	$\frac{5}{6}$ ditto. ..	$\frac{2}{3}$ ditto. ...	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto.
33. Coir, ...	$\frac{2}{3}$ ditto. ...	$\frac{1}{2}$ ditto. ..	$\frac{2}{3}$ ditto. ...	$\frac{1}{3}$ ditto. ..	$\frac{3}{4}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto. ...	$\frac{2}{3}$ ditto.
34. Coin and Bullion,... ...	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.
35. Columbo Root,... ...	$\frac{3}{4}$ of Import Duty. ...	$\frac{1}{2}$ of Import Duty.	$\frac{2}{3}$ of Import Duty. ...	$\frac{1}{3}$ of Import Duty.	$\frac{7}{8}$ of Import Duty. ..	$\frac{3}{4}$ of Import Duty. ..	$\frac{2}{3}$ of Import Duty. ..	$\frac{2}{3}$ of Import Duty.
36. Coosoom Fool, or Safflower,	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ..	$\frac{5}{6}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto.
37. Copal, or Kahroba, ..	$\frac{3}{4}$ ditto. ...	$\frac{1}{2}$ ditto. ...	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ..	$\frac{7}{8}$ ditto. ...	$\frac{3}{4}$ ditto. ..	$\frac{2}{3}$ ditto. ...	$\frac{2}{3}$ ditto
38. Copper & Copper-ware,	$\frac{3}{4}$ of Import Duty. ...	$\frac{1}{2}$ of Import Duty. ...	$\frac{2}{3}$ of Import Duty. ..	$\frac{1}{3}$ of Import Duty. ..	$\frac{7}{8}$ of Import Duty. ...	$\frac{3}{4}$ of Import Duty. ...	$\frac{2}{3}$ of Import Duty. ...	$\frac{2}{3}$ of Import Duty.
39. Coral, ..	$\frac{3}{4}$ ditto. ..	$\frac{1}{2}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ...	$\frac{7}{8}$ ditto. ..	$\frac{3}{4}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto.
40. Cordage, ..	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ..	$\frac{3}{4}$ ditto. ...	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto. ...	$\frac{2}{3}$ ditto.
41. Crimdanah or Cochineal,	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ..	$\frac{5}{6}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto.
42. Dhye Flower, ..	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ..	$\frac{2}{3}$ ditto. ...	$\frac{1}{3}$ ditto. ..	$\frac{5}{6}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto.
43. Elephant's Teeth, ..	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ...	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ...	$\frac{5}{6}$ ditto. ..	$\frac{2}{3}$ ditto. ...	$\frac{2}{3}$ ditto. ...	$\frac{2}{3}$ ditto.
44. Embroidered Goods and Brocades,	$\frac{3}{4}$ ditto. ...	$\frac{1}{2}$ ditto. ...	$\frac{2}{3}$ ditto. ..	$\frac{1}{2}$ ditto. ...	$\frac{5}{6}$ ditto. ...	$\frac{3}{4}$ ditto. ..	$\frac{2}{3}$ ditto. ...	$\frac{2}{3}$ ditto.

	IMPORTS ON A BRITISH BOTTOM.				IMPORTS ON A FOREIGN BOTTOM.			
	If re-exported to Europe, or the United States of America.		*If re-exported to places other than Europe, or the United States of America.*		*If re-exported to Europe, or the United States of America.*		*If re-exported to places other than Europe, or the United States of America.*	
	On a British Bottom.	*On a Foreign Bottom.*	*On a British Bottom.*	*On a Foreign Bottom.*	*On a British Bottom.*	*On a Foreign Bottom.*	*On a British Bottom.*	*On a Foreign Bottom.*
45. Frankincense or Gundeberoza,	$\frac{2}{3}$ of Import Duty. ...	$\frac{1}{3}$ of Import Duty. ..	$\frac{2}{3}$ of Import Duty. ..	$\frac{1}{3}$ of Import Duty.	$\frac{5}{6}$ of Import Duty.	$\frac{2}{3}$ of Import Duty.	$\frac{2}{3}$ of Import Duty.	$\frac{2}{3}$ of Import Duty.
46. Galbanum, ..	$\frac{3}{4}$ ditto. ..	$\frac{1}{2}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ..	$\frac{7}{8}$ ditto. ..	$\frac{3}{4}$ ditto.	$\frac{2}{3}$ ditto. ...	$\frac{2}{3}$ ditto.
47. Gallingall, ..	$\frac{2}{3}$ ditto. ...	$\frac{1}{3}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ..	$\frac{5}{6}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto.
48. Ghee, (Customs)	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ..	$\frac{5}{6}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto.
Ditto, (Town Duty,) ..	Whole amount of Duty. ..	Whole amount of Duty. ..	Whole amount of Duty. ...	Whole amount of Duty. ...	Whole amount of Duty. ...	Whole amount of Duty. ...	Whole amount of Duty. ...	Whole amount of Duty.
49. Gin, Manufacture of foreign Territories in Asia, ..	$\frac{11}{12}$ of Import Duty. ...	$\frac{5}{6}$ of Import Duty. ..	$\frac{2}{3}$ of Import Duty. ...	$\frac{1}{3}$ of Import Duty. ...	$\frac{23}{24}$ of Import Duty. ..	$\frac{11}{12}$ of Import Duty. ...	$\frac{2}{3}$ of Import Duty. ...	$\frac{2}{3}$ of Import Duty.
50. Goopee Mattee, or Yellow Ochre, ...	$\frac{3}{4}$ ditto. ...	$\frac{1}{2}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ..	$\frac{7}{8}$ ditto. ..	$\frac{3}{4}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto.
51. Goomootoo, Sunn, and Hemp, ..	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil.
52. Gum Arabic,..	$\frac{3}{4}$ of Import Duty. ..	$\frac{1}{2}$ of Import Duty. ..	$\frac{2}{3}$ of Import Duty. ..	$\frac{1}{3}$ of Import Duty. ..	$\frac{7}{8}$ of Import Duty. ..	$\frac{3}{4}$ of Import Duty. ..	$\frac{2}{3}$ of Import Duty. ..	$\frac{2}{3}$ of Import Duty.
53. Gundeberoza, or Frankincense, ...	$\frac{2}{3}$ ditto. ...	$\frac{1}{3}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto, ..	$\frac{5}{6}$ ditto. ...	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto.
54. Hemp, Sunn and Goomootoo,	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil.
55. Hurrah or Myrobolan, ..	$\frac{3}{4}$ of Import Duty. ...	$\frac{1}{2}$ of Import Duty. ..	$\frac{2}{3}$ of Import Duty. ..	$\frac{1}{3}$ of Import Duty. ..	$\frac{7}{8}$ of Import Duty. ..	$\frac{3}{4}$ of Import Duty. ..	$\frac{2}{3}$ of Import Duty. ..	$\frac{2}{3}$ of Import Duty.
56. Horses, ...	Nil. ..	Nil. ..	Nil. ..	Nil. ...	Nil. ...	Nil. ...	Nil. ...	Nil.
57. Hursingahr Flower, ..	$\frac{2}{3}$ ditto. ...	$\frac{1}{3}$ ditto, ..	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ..	$\frac{5}{6}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto.
58. Hurtaul, or Yellow Arsenic, or Orpiment,	$\frac{3}{4}$ ditto. ...	$\frac{1}{2}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto, ..	$\frac{7}{8}$ ditto. ...	$\frac{3}{4}$ ditto. ..	$\frac{2}{3}$ ditto. ...	$\frac{2}{3}$ ditto.

	IMPORTED ON A BRITISH BOTTOM.				IMPORTED ON A FOREIGN BOTTOM.			
	If re-exported to Europe, or the United States of America.		*If re-exported to places other than Europe, or the United States of America.*		*If re-exported to Europe, or the United States of America.*		*If re-exported to places other than Europe, or the United States of America.*	
	On a British Bottom.	*On a Foreign Bottom.*	*On a British Bottom.*	*On a Foreign Bottom.*	*On a British Bottom.*	*On a Foreign Bottom.*	*On a British Bottom.*	*On a Foreign Bottom.*
59. Indigo, the produce of the British Territories in India on a fixed valuation of 100 Rupees per Factory Md.	Whole amount of Duty.	$\frac{1}{2}$ of Import Duty.	$\frac{2}{3}$ of Import Duty.	$\frac{1}{3}$ of Import Duty.	Whole amount of Duty.	$\frac{2}{3}$ of Import Duty.	$\frac{2}{3}$ of Import Duty.	$\frac{2}{3}$ of Import Duty.
60. Indigo, other than the produce of the British Territories in India on a fixed valuation of 100 Rupees per Factory Md.	$\frac{2}{3}$ of Import Duty.	$\frac{1}{3}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ...	$\frac{3}{4}$ of Import Duty.	$\frac{2}{3}$ ditto. ...	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto.
61. Iron, wrought and unwrought	$\frac{3}{4}$ ditto. ..	$\frac{1}{2}$ ditto. ...	$\frac{2}{3}$ ditto. ...	$\frac{1}{3}$ ditto. ..	$\frac{7}{8}$ ditto. ..	$\frac{3}{4}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto.
62. Ivory, ..	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ..	$\frac{5}{6}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto. ...	$\frac{2}{3}$ ditto.
63. Jutta Munsee or Spikenard,	$\frac{3}{4}$ ditto. ..	$\frac{1}{2}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ...	$\frac{7}{8}$ ditto. ..	$\frac{3}{4}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto.
64. Kullinjun, ..	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ..	$\frac{5}{6}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto.
65. Lead, Pig, Sheet, Milled, & small Shot,	$\frac{3}{4}$ ditto. ..	$\frac{1}{2}$ ditto. ...	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ..	$\frac{7}{8}$ ditto. ..	$\frac{3}{4}$ ditto. ...	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto.
66. Loadh, ...	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ..	$\frac{5}{6}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto.
67. Loban, or Benjamin, ..	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ..	$\frac{5}{6}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto.
68. Mace, ..	$\frac{3}{4}$ ditto. ..	$\frac{1}{2}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ..	$\frac{7}{8}$ ditto. ..	$\frac{3}{4}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto.
69. Madder or Munjeet, ...	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ..	$\frac{5}{6}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto.

	IMPORTS ON A BRITISH BOTTOM.				IMPORTS ON A FOREIGN BOTTOM.			
	If re-exported to Europe, or the United States of America.		*If re-exported to places other than Europe, or the United States of America.*		*If re-exported to Europe, or the United States of America.*		*If re-exported to places other than Europe, or the United States of America.*	
	On a British Bottom.	*On a Foreign Bottom.*	*On a British Bottom.*	*On a Foreign Bottom*	*On a British Bottom.*	*On a Foreign Bottom.*	*On a British Bottom.*	*On a Foreign Bottom.*
70. Mahogany and Cabinet wood generally, ..	$\frac{2}{3}$ of Import Duty.	$\frac{1}{3}$ of Import Duty.	$\frac{2}{3}$ of Import Duty.	$\frac{1}{3}$ of Import Duty.	$\frac{5}{6}$ of Import Duty.	$\frac{2}{3}$ of Import Duty.	$\frac{2}{3}$ of Import Duty.	$\frac{2}{3}$ of Import Duty.
71. Mastick, ..	$\frac{3}{4}$ ditto. ..	$\frac{1}{2}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ..	$\frac{7}{8}$ ditto. ..	$\frac{3}{4}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto.
72. Minium or Red Lead, ..	$\frac{3}{4}$ ditto. ..	$\frac{1}{2}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ..	$\frac{7}{8}$ ditto. ..	$\frac{3}{4}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto.
73. Morinda or Awl-root, ..	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ..	$\frac{5}{6}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto.
74. Munjeet, or Madder, ..	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ..	$\frac{5}{6}$ ditto. ...	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto.
75. Musk, ..	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ..	$\frac{5}{6}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto.
76. Myrobolans, viz. Buhera, Hurrah and Ownlah, ..	$\frac{3}{4}$ ditto. ..	$\frac{1}{2}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ..	$\frac{7}{8}$ ditto. ..	$\frac{3}{4}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto.
77. Myrrh, ..	$\frac{3}{4}$ ditto. ..	$\frac{1}{2}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ..	$\frac{7}{8}$ ditto. ...	$\frac{3}{4}$ ditto. ..	$\frac{2}{3}$ ditto. ...	$\frac{2}{3}$ ditto.
78. Nutmegs, ..	$\frac{3}{4}$ ditto. ..	$\frac{1}{2}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ..	$\frac{7}{8}$ ditto. ..	$\frac{3}{4}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto.
79. Oils, Vegetable or Animal (Customs,)	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ..	$\frac{5}{6}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto.
Ditto ditto, (Town Duty,)	Whole amount of Duty. ..	Whole amount of Duty. ..	Whole amount of Duty. ..	Whole amount of Duty. ..	Whole amount of Duty. ..	Whole amount of Duty. ..	Whole amount of Duty. ..	Whole amount of Duty.
80. Oil Seeds (Customs,) ..	$\frac{2}{3}$ of Import Duty.	$\frac{1}{3}$ of Import Duty.	$\frac{2}{3}$ of Import Duty.	$\frac{1}{3}$ of Import Duty.	$\frac{5}{6}$ of Import Duty.	$\frac{2}{3}$ of Import Duty.	$\frac{2}{3}$ of Import Duty.	$\frac{2}{3}$ of Import Duty.
Ditto, (Town Duty,) ..	Whole amount of Duty.	Whole amount of Duty.	Whole amount of Duty. ..	Whole amount of Duty.	Whole amount of Duty.	Whole amount of Duty.	Whole amount of Duty.	Whole amount of Duty,
81. Oils, perfumed and essential or Otter, and Foolel Teyll,	$\frac{2}{3}$ of Import Duty.	$\frac{1}{3}$ of Import Duty.	$\frac{2}{3}$ of Import Duty.	$\frac{1}{3}$ of Import Duty.	$\frac{5}{6}$ of Import Duty,	$\frac{2}{3}$ of Import Duty.	$\frac{2}{3}$ of Import Duty.	$\frac{2}{3}$ of Import Duty.
82. Opium, Foreign,..	Nil. ..	Nil. ..	Nil. ..	Nil. ...	Nil. ..	Nil. ..	Nil. ..	Nil.

	IMPORTS ON A BRITISH BOTTOM.				IMPORTS ON A FOREIGN BOTTOM.			
	If re-exported to Europe, or the United States of America.		*If re-exported to places other than Europe, or the United States of America.*		*If re-exported to Europe, or the United States of America.*		*If re-exported to places other than Europe, or the United States of America.*	
	On a British Bottom.	*On a Foreign Bottom.*	*On a British Bottom.*	*On a Foreign Bottom.*	*On a British Bottom.*	*On a Foreign Bottom.*	*On a British Bottom.*	*On a Foreign Bottom.*
83. Orpiment or Yellow Arsenic or Hurtaul, ..	$\frac{3}{4}$ of Import Duty.	$\frac{1}{2}$ of Import Duty.	$\frac{2}{3}$ of Import Duty.	$\frac{1}{3}$ of Import Duty.	$\frac{7}{8}$ of Import Duty.	$\frac{3}{4}$ of Import Duty.	$\frac{2}{3}$ of Import Duty.	$\frac{2}{3}$ of Import Duty.
84. Otter or Essential Oils, ..	$\frac{2}{3}$ ditto. ...	$\frac{1}{3}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ..	$\frac{5}{6}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto.
85. Ownla or Myrobolan, ..	$\frac{3}{4}$ ditto. ..	$\frac{1}{2}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ..	$\frac{7}{8}$ ditto. ..	$\frac{3}{4}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto.
86. Pepper, black and white, ..	$\frac{3}{4}$ ditto. ..	$\frac{1}{2}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ..	$\frac{7}{8}$ ditto. ..	$\frac{3}{4}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto.
87. Piece Goods, Cotton, Silk, and mixed with Cotton and Silk, the Manufacture of the Company's Territories, ..	Nil. ..	Nil. ..	Nil. ...	Nil. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto.
88. Piece Goods generally the Manufacture of places other than those in this Table. ..	$\frac{2}{3}$ of Import Duty.	$\frac{1}{3}$ of Import Duty.	$\frac{2}{3}$ of Import Duty.	$\frac{1}{3}$ of Import Duty.	$\frac{5}{6}$ of Import Duty.	$\frac{2}{3}$ of Import Duty.	$\frac{2}{3}$ of Import Duty.	$\frac{2}{3}$ of Import Duty.
89. Pimento or All-Spice, ..	$\frac{3}{4}$ ditto. ..	$\frac{1}{2}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ..	$\frac{7}{8}$ ditto. ..	$\frac{3}{4}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto.
90. Pipe Staves, ...	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ..	$\frac{5}{6}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto.
91. Precious Stones and Pearls, ..	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil.	Nil. ..	Nil.
92. Prussian Blue,	$\frac{3}{4}$ of Import Duty.	$\frac{1}{2}$ of Import Duty.	$\frac{2}{3}$ of Import Duty.	$\frac{1}{3}$ of Import Duty.	$\frac{7}{8}$ of Import Duty.	$\frac{3}{4}$ of Import Duty.	$\frac{2}{3}$ of Import Duty. ..	$\frac{2}{3}$ of Import Duty.
93. Putcha Paut, ..	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ..	$\frac{5}{6}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto. ...	$\frac{2}{3}$ ditto.

	IMPORTS ON A BRITISH BOTTOM.				IMPORTS ON A FOREIGN BOTTOM.			
	If re-exported to Europe, or the United States of America.		*If re-exported to places other than Europe, or the United States of America.*		*If re-exported to Europe, or the United States of America.*		*If re-exported to places other than Europe, or the United States of America.*	
	On a British Bottom.	*On a Foreign Bottom.*	*On a British Bottom.*	*On a Foreign Bottom.*	*On a British Bottom.*	*On a Foreign Bottom.*	*On a British Bottom.*	*On a Foreign Bottom.*
94. Quick Silver,	$\frac{3}{4}$ of Import Duty.	$\frac{1}{2}$ of Import Duty.	$\frac{2}{3}$ of Import Duty.	$\frac{1}{3}$ of Import-Duty,	$\frac{7}{8}$ of Import Duty.	$\frac{5}{4}$ of Import Duty.	$\frac{2}{3}$ of Import Duty.	$\frac{2}{3}$ of Import Duty.
95. Rattans,	$\frac{2}{3}$ ditto.	$\frac{1}{3}$ ditto.	$\frac{2}{3}$ ditto.	$\frac{1}{3}$ ditto.	$\frac{5}{6}$ ditto.	$\frac{2}{3}$ ditto.	$\frac{2}{3}$ ditto.	$\frac{2}{3}$ ditto.
96. Red Sandal Wood,	$\frac{2}{3}$ ditto.	$\frac{1}{3}$ ditto.	$\frac{2}{3}$ ditto.	$\frac{1}{3}$ ditto.	$\frac{5}{6}$ ditto.	$\frac{2}{3}$ ditto.	$\frac{2}{3}$ ditto.	$\frac{2}{3}$ ditto.
97. Red Lead or Minium,	$\frac{3}{4}$ ditto.	$\frac{1}{2}$ ditto.	$\frac{2}{3}$ ditto	$\frac{1}{3}$ ditto.	$\frac{7}{8}$ ditto.	$\frac{3}{4}$ ditto.	$\frac{2}{3}$ ditto.	$\frac{2}{3}$ ditto.
98. Rose Water,	$\frac{2}{3}$ ditto.	$\frac{1}{3}$ ditto.	$\frac{2}{3}$ ditto.	$\frac{1}{3}$ ditto.	$\frac{5}{6}$ ditto.	$\frac{2}{3}$ ditto.	$\frac{2}{3}$ ditto.	$\frac{2}{3}$ ditto.
99. Rum the Manufacture of Foreign Territories in Asia,	$\frac{11}{12}$ ditto.	$\frac{5}{6}$ ditto.	$\frac{2}{3}$ ditto.	$\frac{1}{3}$ ditto.	$\frac{23}{24}$ ditto.	$\frac{11}{12}$ ditto.	$\frac{2}{3}$ ditto.	$\frac{2}{3}$ ditto.
100. Saffron,	$\frac{3}{4}$ ditto.	$\frac{1}{2}$ ditto.	$\frac{2}{3}$ ditto.	$\frac{1}{3}$ ditto.	$\frac{7}{8}$ ditto.	$\frac{3}{4}$ ditto.	$\frac{2}{3}$ ditto.	$\frac{2}{3}$ ditto.
101. Safflower or Coosoom Fool	$\frac{2}{3}$ ditto.	$\frac{1}{3}$ ditto.	$\frac{2}{3}$ ditto.	$\frac{1}{3}$ ditto.	$\frac{5}{6}$ ditto.	$\frac{2}{3}$ ditto.	$\frac{2}{3}$ ditto.	$\frac{2}{3}$ ditto.
102. Sago,	$\frac{2}{3}$ ditto.	$\frac{1}{3}$ ditto.	$\frac{2}{3}$ ditto.	$\frac{1}{3}$ ditto.	$\frac{5}{6}$ ditto.	$\frac{2}{3}$ ditto.	$\frac{2}{3}$ ditto.	$\frac{2}{3}$ ditto.
103. Salt,	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.
104. Sandal Wood, Red, White or Yellow,	$\frac{2}{3}$ of Import Duty.	$\frac{1}{3}$ of Import Duty.	$\frac{2}{3}$ of Import Duty.	$\frac{1}{3}$ of Import Duty.	$\frac{5}{6}$ of Import Duty.	$\frac{2}{3}$ of Import Duty.	$\frac{2}{3}$ of Import Duty.	$\frac{2}{3}$ of Import Duty.
105. Sappan or Buckum Wood,	$\frac{2}{3}$ ditto.	$\frac{1}{3}$ ditto.	$\frac{2}{3}$ ditto.	$\frac{1}{3}$ ditto.	$\frac{5}{6}$ ditto.	$\frac{2}{3}$ ditto.	$\frac{2}{3}$ ditto.	$\frac{2}{3}$ ditto.
106. Senna,	$\frac{3}{4}$ ditto.	$\frac{1}{2}$ ditto.	$\frac{2}{3}$ ditto.	$\frac{1}{3}$ ditto.	$\frac{7}{8}$ ditto.	$\frac{3}{4}$ ditto.	$\frac{2}{3}$ ditto.	$\frac{2}{3}$ ditto.
107. Soonamookey Leaf,	$\frac{3}{4}$ ditto.	$\frac{1}{2}$ ditto.	$\frac{2}{3}$ ditto.	$\frac{1}{3}$ ditto.	$\frac{7}{8}$ ditto.	$\frac{3}{4}$ ditto.	$\frac{2}{3}$ ditto.	$\frac{2}{3}$ ditto.
108. Spikenard or Jutta Munsee,	$\frac{3}{4}$ ditto.	$\frac{1}{2}$ ditto.	$\frac{2}{3}$ ditto.	$\frac{1}{3}$ ditto.	$\frac{7}{8}$ ditto.	$\frac{3}{4}$ ditto.	$\frac{2}{3}$ ditto.	$\frac{2}{3}$ ditto.
109. Spirituous Liquors not otherwise described in this Table,	$\frac{3}{4}$ ditto.	$\frac{1}{2}$ ditto.	$\frac{2}{3}$ ditto.	$\frac{1}{3}$ ditto.	$\frac{7}{8}$ ditto.	$\frac{3}{4}$ ditto.	$\frac{2}{3}$ ditto.	$\frac{2}{3}$ ditto.

	IMPORTS ON A BRITISH BOTTOM.				IMPORTS ON A FOREIGN BOTTOM.			
	If re-exported to Europe, or the United States of America.		*If re-exported to places other than Europe, or the United States of America.*		*If re-exported to Europe, or the United States of America.*		*If re-exported to places other than Europe, or the United States of America.*	
	On a British Bottom.	*On a Foreign Bottom.*	*On a British Bottom.*	*On a Foreign Bottom.*	*On a British Bottom.*	*On a Foreign Bottom.*	*On a British Bottom.*	*On a Foreign Bottom.*
110. Steel, wrought and unwrought	$\frac{3}{4}$ of Import Duty. ..	$\frac{1}{2}$ of Import Duty. ..	$\frac{2}{3}$ of Import Duty. ..	$\frac{1}{3}$ of Import Duty. ..	$\frac{7}{8}$ of Import Duty. ..	$\frac{3}{4}$ of Import Duty. ...	$\frac{2}{3}$ of Import Duty. ..	$\frac{2}{3}$ of Import Duty.
111. Storax, ...	$\frac{3}{4}$ ditto. ..	$\frac{1}{2}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ...	$\frac{7}{8}$ ditto. ..	$\frac{3}{4}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto.
112. Stones, Precious and Pearls, ..	Nil. ..	Nil. ...	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil.
113. Sugar and Sugar Candy, including Jagree and Molasses, (Customs,) ..	$\frac{2}{3}$ of Import Duty. ..	$\frac{1}{3}$ of Import Duty. ..	$\frac{2}{3}$ of Import Duty. ..	$\frac{1}{3}$ of Import Duty. ...	$\frac{3}{4}$ of Import Duty. ...	$\frac{2}{3}$ of Import Duty. ...	$\frac{2}{3}$ of Import Duty. ..	$\frac{2}{3}$ of Import Duty.
Ditto do. (Town Duty,) ..	Whole amount of Duty. ...	Whole amount of Duty. ...	Whole amount of Duty. ...	Whole amount of Duty...	Whole amount of Duty...	Whole amount of Duty. ..	Whole amount of Duty. ..	Whole amount of Duty.
114. Sulphur or Brimstone, ..	$\frac{3}{4}$ of Import Duty. ..	$\frac{1}{2}$ of Import Duty. ..	$\frac{2}{3}$ of Import Duty.	$\frac{1}{3}$ of Import Duty.	$\frac{7}{8}$ of Import Duty. ...	$\frac{3}{4}$ of Import Duty.	$\frac{2}{3}$ of Import Duty.	$\frac{2}{3}$ of Import Duty.
115. Sunn, Hemp and Goomotoo, ..	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil.
116. Tape, ..	$\frac{2}{3}$ of Import Duty. ...	$\frac{1}{3}$ of Import Duty. ...	$\frac{2}{3}$ of Import Duty.	$\frac{1}{3}$ of Import Duty. ..	$\frac{5}{6}$ of Import Duty. ..	$\frac{2}{3}$ of Import Duty. ..	$\frac{2}{3}$ of Import Duty. ..	$\frac{2}{3}$ of Import Duty.
117. Taizepaut or Malabathram Leaf, ..	$\frac{3}{4}$ ditto. ...	$\frac{1}{2}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ...	$\frac{7}{8}$ ditto. ..	$\frac{3}{4}$ ditto. ..	$\frac{2}{3}$ ditto. ...	$\frac{2}{3}$ ditto.
118. Tea, ...	$\frac{3}{4}$ ditto. ..	$\frac{1}{2}$ ditto. ..	$\frac{2}{3}$ ditto. ...	$\frac{1}{3}$ ditto. ...	$\frac{7}{8}$ ditto. ...	$\frac{3}{4}$ ditto. ..	$\frac{2}{3}$ ditto. ...	$\frac{2}{3}$ ditto.
119. Teak Timber, ..	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil.
120. Thread, ...	$\frac{2}{3}$ of Import Duty. ..	$\frac{1}{3}$ of Import Duty. ...	$\frac{2}{3}$ of Import Duty. ..	$\frac{1}{3}$ of Import Duty. ...	$\frac{5}{6}$ of Import Duty. ...	$\frac{2}{3}$ of Import Duty. ...	$\frac{2}{3}$ of Import Duty. ..	$\frac{2}{3}$ of Import Duty.
121. Tin and Tin-Ware, ..	$\frac{3}{4}$ ditto. ..	$\frac{1}{2}$ ditto. ..	$\frac{2}{3}$ ditto. ...	$\frac{1}{3}$ ditto. ..	$\frac{7}{8}$ ditto. ..	$\frac{3}{4}$ ditto. ..	$\frac{2}{3}$ ditto. ...	$\frac{2}{3}$ ditto.

	IMPORTS ON A BRITISH BOTTOM.				IMPORTS ON A FOREIGN BOTTOM.			
	If re-exported to Europe, or the United States of America.		*If re-exported to places other than Europe, or the United States of America.*		*If re-exported to Europe, or the United States of America.*		*If re-exported to places other than Europe, or the United States of America.*	
	On a British Bottom.	*On a Foreign Bottom.*	*On a British Bottom.*	*On a Foreign Bottom*	*On a British Bottom.*	*On a Foreign Bottom.*	*On a British Bottom.*	*On a Foreign Bottom.*
122. Tobacco, (Customs,) ..	Whole amount of Duty. ..	$\frac{3}{4}$ of Import Duty.	$\frac{2}{3}$ of Import Duty.	$\frac{1}{3}$ of Import Duty.	Whole amount of Duty. ..	$\frac{3}{4}$ of Import Duty.	$\frac{2}{3}$ of Import Duty.	$\frac{2}{3}$ of Import Duty.
Ditto (Town Duty,) ..	Ditto. ...	Whole amount of Duty. ..	Whole amount of Duty. ..	Whole amount of Duty. ..	Ditto. ..	Whole amount of Duty. ..	Whole amount of Duty. ..	Whole amount of Duty.
123. Toond Flower,	$\frac{2}{3}$ of Import Duty. .	$\frac{1}{3}$ of Import Duty. ...	$\frac{2}{3}$ of Import Duty. ..	$\frac{1}{3}$ of Import Duty. ...	$\frac{5}{6}$ of Import Duty. ..	$\frac{2}{3}$ of Import Duty.	$\frac{2}{3}$ of Import Daty.	$\frac{2}{3}$ of Import Duty.
124. Tugger Wood, ...	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ..	$\frac{2}{3}$ ditto. ...	$\frac{1}{3}$ ditto. ..	$\frac{5}{6}$ ditto. ..	$\frac{2}{3}$ ditto. ...	$\frac{2}{3}$ ditto. ...	$\frac{2}{3}$ ditto.
125. Turmeric, (Customs,) ...	$\frac{2}{3}$ ditto. ...	$\frac{1}{3}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ..	$\frac{3}{4}$ ditto. ...	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto.
Ditto, (Town Duty,) ..	Whole amount of Duty.	Whole amount of Duty. ..	Whole amount of Duty. ...	Whole amount of Duty. ...	Whole amount of Duty. ..	Whole amount of Duty. ..	Whole amount of Duty. ..	Whole amount of Duty.
126. Tutenague, ..	$\frac{3}{4}$ of Import Duty. ...	$\frac{1}{2}$ of Import Duty. ..	$\frac{2}{3}$ of Import Duty. ..	$\frac{1}{3}$ Of Import Duty. ...	$\frac{7}{8}$ Of Import Duty. ..	$\frac{3}{4}$ Of Import Duty. ..	$\frac{2}{3}$ Of Import Duty. ..	$\frac{2}{3}$ of Import Duty.
127. Uggur or Aloe Wood, ..	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ...	$\frac{5}{6}$ ditto. ...	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto.
128. Vermillion, ..	$\frac{3}{4}$ ditto. ...	$\frac{1}{2}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ...	$\frac{7}{8}$ ditto. ..	$\frac{3}{4}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto.
129. Verdigrease, ..	$\frac{3}{4}$ ditto. ..	$\frac{1}{2}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ..	$\frac{7}{8}$ ditto. ...	$\frac{3}{4}$ ditto. ..	$\frac{2}{3}$ ditto. ...	$\frac{2}{3}$ ditto.
130. Wax and Wax Candles, ..	$\frac{3}{4}$ ditto. ..	$\frac{1}{2}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ..	$\frac{7}{8}$ ditto. ..	$\frac{3}{4}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto.
131. Wines and Spirits, not otherwise provided for,	$\frac{3}{4}$ ditto. ..	$\frac{1}{2}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ...	$\frac{7}{8}$ ditto. ..	$\frac{3}{4}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto.
132. Wood, Cabinet,	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ...	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ..	$\frac{5}{6}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto.
133. Yellow Ochre, or Goopee Muttee, ..	$\frac{3}{4}$ ditto. ...	$\frac{1}{2}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ..	$\frac{7}{8}$ ditto. ...	$\frac{3}{4}$ ditto. ..	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto.
134. Articles not enumerated above. ...	$\frac{2}{3}$ ditto. ..	$\frac{1}{3}$ ditto. ..	$\frac{2}{3}$ ditto. ...	$\frac{1}{3}$ ditto. ..	$\frac{3}{4}$ ditto. ...	$\frac{2}{3}$ ditto. ..	$\frac{2}{3}$ ditto. ...	$\frac{2}{3}$ ditto.

SCHEDULE NO. III.

Rates of Duty Chargeable, and Drawback allowed on Articles the Produce and Manufacture of the Country, Exported by Sea from Calcutta or any other Port or Place belonging to the Presidency of Fort William.

Rate of Inland or Transit Duty payable.	NAMES OF ARTICLES.	*If exported to the United Kingdom, Foreign Europe, or the United States of America.*				*If Exported to places other than those in Europe or the United States of America.*			
		On a British Bottom.		*On a Foreign Bottom.*		*On a British Bottom.*		*On a Foreign Bottom.*	
		Rate of Duty to be Charged.	*Drawback to be Allowed.*	*Rate of Duty to be Charged.*	*Drawback to be Allowed.*	*Rate of Duty to be Charged.*	*Drawback to be Allowed.*	*Rate of Duty to be Charged.*	*Drawback to be Allowed.*
7½ pr. Ct.	Ajwain or Jowain,	Nil. ...	⅔ of Transit Duty.	Nil. ..	⅓ of Transit Duty, ...	Nil. ..	⅓ of Transit Duty, ...	2½ per Cent. ..	Nil.
2½ ditto.	All-Spice or Pimento. ..	Nil. ..	Nil. ..	2½ per Cent. ..	Nil. ..	2½ per Cent. ...	Nil. ..	7½ ditto. ..	Nil.
5 ditto.	Alkali, ...	Nil. ..	½ of Transit Duty.	Nil. ..	Nil. ..	Nil. ..	Nil. ..	5 ditto. ...	Nil.
7½ ditto.	Aloe Wood or Uggur, ..	Nil. ..	⅔ of Transit Duty.	Nil. ..	⅓ of Transit Duty, ...	Nil. ..	⅓ of Transit Duty, ...	2½ ditto. ..	Nil.
10 ditto.	Alum, ...	Nil. ..	¾ of Transit Duty.	Nil. ...	½ of Transit Duty, ...	Nil. ..	Nil. ..	10 ditto. ...	Nil.
7½ ditto.	Ambergris, ..	Nil. ..	⅔ of Transit Duty.	Nil. ..	⅓ of Transit Duty, ...	Nil. ...	Nil. ..	7½ ditto. ..	Nil.
2½ ditto.	Ambergris, from Nepaul,	Nil. ..	Nil. ..	2½ per Cent. ..	Nil. ...	2½ per Cent. ..	Nil. ..	7½ per Cent. ..	Nil.
7½ ditto.	Anise or Mowrie or Souf,	Nil. ..	⅔ of Transit Duty.	Nil. ..	⅓ of Transit Duty, ...	Nil. ...	⅓ of Transit Duty.	2½ ditto. ..	Nil.
10 ditto.	Arsenic, white, red, or yellow,	Nil. ...	¾ of ditto. ..	Nil. ..	½ of ditto. ..	Nil. ..	Nil. ..	10 ditto. ..	Nil.
10 ditto.	Assafœtida, ..	Nil. ..	¾ of ditto. ..	Nil. ..	½ of ditto. ..	Nil. ..	Nil. ..	10 ditto. ..	Nil.
7½ ditto.	Altah, ...	Nil. ..	⅔ of ditto. ..	Nil. ..	⅓ of ditto. ..	Nil. ...	⅓ of Transit Duty, ...	2½ ditto. ...	Nil.
7½ ditto.	Awl Root or Morinda, ..	Nil. ..	⅔ of ditto. ...	Nil. ..	⅓ of ditto. ..	Nil. ...	⅓ of Ditto. ...	2½ ditto. ..	Nil.
7½ ditto.	Beetlenut, (Customs.)	Nil. ..	⅔ of d'tto. ..	Nil. ..	⅓ of ditto. ..	Nil. ..	Nil. ...	7½ ditto. ..	Nil.
5 ditto.	Ditto, (Town Duty. ..	Nil. ...	Whole amount of Town Duty.	Nil. ..	Whole amount of Town Duty.	Nil. ..	Whole amount of Town Duty.	Nil. ..	Whole amount of Town Duty.

Rate of Inland or Transit Duty payable.	NAMES OF ARTICLES.	If exported to the United Kingdom, Foreign Europe, or the United States of America.				If Exported to places other than those in Europe or the United States of America.			
		On a British Bottom.		On a Foreign Bottom.		On a British Bottom.		On a Foreign Bottom.	
		Rate of Duty to be Charged.	Drawback to be Allowed.	Rate of Duty to be Charged.	Drawback to be Allowed.	Rate of Duty to be Charged.	Drawback to be Allowed.	Rate of Duty to be Charged.	Drawback to be Allowed.
7½ pr. Ct.	Benjamin or Loban,	Nil. ..	⅔ of Transit Duty.	Nil. ...	⅓ of Transit Duty.	Nil. ..	Nil. ..	7½ per Cent. ..	Nil.
2½ ditto.	Do. do, from Nepaul ..	Nil. ...	Nil. ...	2½ perCent. ..	Nil. ...	2½ per Cent. ..	Nil. ..	7½ ditto. ..	Nil.
Nil.	Beads, Malas, or Rozaries,	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil.
5 pr. Ct.	Blankets and Looeyes, ..	Nil. ..	½ of Transit Duty.	Nil. ...	Nil. ..	Nil. ..	Nil. ..	5 per Cent. ..	Nil.
2½ ditto.	Do. do. from Nepaul, ...	Nil. ...	Nil. ..	2½ per Cent. ..	Nil. ..	2½ per Cent. ..	Nil. ..	7½ ditto. ..	Nil.
Nil.	Bombax or produce of the Semul tree,	Nil. ..	Nil. ..	Nil. ...	Nil. ..	Nil. ..	Nil. ...	Nil. ...	Nil.
5 pr. Ct.	Boots, Shoes & Slippers, ..	Nil. ..	½ of Transit Duty.	Nil. ..	Nil. ..	Nil. ...	Nil. ...	5 per Cent. ..	Nil.
5 ditto.	Borax and Tincal,	Nil. ..	½ of ditto. ...	Nil. ...	Nil. ...	Nil. ...	Nil. ..	5 ditto. ..	Nil.
2½ ditto.	Do. do. from Nepaul, ..	Nil. ...	Nil. ...	2½ per Cent. ..	Nil. ..	2½ per Cent. ..	Nil. ..	7½ ditto. ..	Nil.
10 ditto.	Brass, unwrought,	Nil. ...	¾ of Transit Duty.	Nil. ..	½ of Transit Duty.	Nil. ..	Nil. ..	10 ditto. ..	Nil.
2½ ditto.	Brass, wrought or unwrought from Nepaul,	Nil. ..	Nil. ...	2½ per Cent. ..	Nil. ...	2½ per Cent. ..	Nil. ...	7½ ditto. ..	Nil.
10 ditto.	Brimstone, or Sulphur, ..	Nil. ...	¾ of Transit Duty.	Nil. ..	½ of Transit Duty.	Nil. ...	Nil. ..	10 ditto. ..	Nil.
7½ ditto.	Brocades and Embroidered Goods, ..	Nil. ...	⅔ of ditto. ...	Nil. ..	⅓ of ditto. ...	Nil. ..	Nil. ..	7½ ditto. ...	Nil.
2½ ditto.	Do. do. from Nepaul, or Oude, ..	Nil. ..	Nil. ...	2½ per Cent. ...	Nil. ..	2½ per Cent. ..	Nil. ..	7½ ditto. ..	Nil.
7½ ditto.	Buhera or Myrobolan, ..	Nil. ..	⅔ of Transit Duty.	Nil. ..	⅓ of Transit Duty.	Nil. ..	⅓ of Transit Duty.	2½ ditto. ...	Nil.

Rate of Inland or Transit Duty payable.	NAMES OF ARTICLES.	If Exported to the United Kingdom, Foreign Europe, or the United States of America.				If Exported to places other than those in Europe or the United States of America.			
		On a British Bottom.		On a Foreign Bottom.		On a British Bottom.		On a Foreign Bottom.	
		Rate of Duty to be Charged.	Drawback to be Allowed.	Rate of Duty to be Charged.	Drawback to be Allowed.	Rate of Duty to be Charged.	Drawback to be Allowed.	Rate of Duty to be Charged.	Drawback to be Allowed.
7½ pr. Ct.	Buckum or Sappan Wood, ..	Nil. ..	⅔ of Transit Duty.	Nil. ..	⅓ of Transit Duty.	Nil. ..	⅓ of Transit Duty. ...	2½ per Cent. ..	Nil.
Nil.	Buggies, Carriages & Palankeens,	Nil. ..	Nil. ..	Nil. ...	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil.
Nil.	Bullion and Coin.	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil. ...	Nil. ..	Nil. ..	Nil.
7½ pr. Ct.	Calizeerah or Nigella, ..	Nil. ..	⅔ of Transit Duty.	Nil. ...	⅓ of Transit Duty.	Nil. ..	⅓ of Transit Duty.	2½ per Cent. ...	Nil.
7½ ditto.	Camphire, ..	Nil. ...	⅔ of ditto. ..	Nil. ..	⅓ of ditto. ...	Nil. ...	⅓ of ditto. ..	2½ ditto. ...	Nil.
Nil.	Canvas, Cordage, Coir, Hemp, Sunn or other materials of Country growth for the manufacture of Canvas or Cordage.	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil. ...	Nil. ..	Nil. ..	Nil.
7½ pr. Ct.	Cardimoms, ..	Nil. ..	⅔ of Transit Duty.	Nil. ..	⅓ of Transit Duty.	Nil. ..	⅓ of Transit Duty.	2½ per Cent.	Nil.
7½ ditto.	Carpets and Setringes,...	Nil. ..	⅔ of ditto. ..	Nil. ..	⅓ of ditto. ...	Nil. ..	Nil. ..	7½ ditto. ...	Nil.
Nil.	Carriages, Buggies, & Palankeens, ..	Nil. ..	Nil. ..	Nil. ...	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil.
2½ pr. Ct.	Cassia from Nepaul, ...	Nil. ..	Nil. ..	2½ per Cent. ..	Nil. ..	2½ per Cent. ..	Nil. ..	7½ per Cent. ..	Nil.
7½ ditto.	Chanks or Saunks, ..	Nil. ..	⅔ of Transit Duty.	Nil. ..	⅓ of Transit Duty.	Nil. ..	Nil. ..	7½ ditto. ..	Nil.
7½ ditto.	Cheyratah, ..	Nil. ..	⅔ of ditto. ..	Nil. ..	⅓ of ditto. ..	Nil. ..	⅓ of Transit Duty.	2½ ditto. ...	Nil.

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		On a British Bottom.		On a Foreign Bottom.		On a British Bottom.		On a Foreign Bottom.	
		Rate of Duty to be Charged.	Drawback to be Allowed.	Rate of Duty to be Charged.	Drawback to be Allowed.	Rate of Duty to be Charged.	Drawback to be Allowed.	Rate of Duty to be Charged.	Drawback to be Allowed.
5 per Cent.	Chowries, ..	Nil. ..	½ of Transit Duty.	Nil. ..	Nil. ..	Nil. ..	Nil. ..	5 per Cent. ...	Nil.
2½ ditto.	Do. from Nepaul,	Nil. ..	Nil. ..	2½ per Cent. ..	Nil. ..	2½ per Cent. ...	Nil. ..	7½ ditto. ..	Nil.
7½ ditto.	Chucrassy Wood,	Nil. ..	⅔ of Transit Duty.	Nil. ..	⅓ of Transit Duty.	Nil. ..	Nil. ..	7½ ditto. ..	Nil.
10 ditto.	Chunam, ...	Nil. ..	¾ of ditto. ..	Nil. ..	½ of ditto. ..	Nil. ..	Nil. ..	10 ditto. ..	Nil.
5 ditto.	Chuttahs and Putties, ..	Nil. ..	½ of ditto. ..	Nil. ..	Nil. ..	Nil. ..	Nil. ..	5 ditto. ..	Nil.
7½ ditto.	Civet, ...	Nil. ..	⅔ of ditto. ..	Nil. ..	⅓ of Transit Duty. ...	Nil. ..	Nil. ..	7½ ditto. ..	Nil.
2½ ditto.	Do. from Nepaul,	Nil. ..	Nil. ..	2½ per Cent. ..	Nil. ..	2½ per Cent. ..	Nil. ..	7½ ditto. ..	Nil.
2½ ditto.	Cloves from Nepaul, ..	Nil. ..	Nil. ..	2½ ditto. ..	Nil. ..	2½ ditto. ..	Nil. ..	7½ ditto. ..	Nil.
7½ ditto.	Cochineal or Crimdanah,	Nil. ..	⅔ of Transit Duty.	Nil. ..	⅓ of Transit Duty.	Nil. ..	⅓ of Transit Duty.	2½ ditto. ..	Nil.
5 ditto.	Cocoanuts with or without bark, ...	Nil. ..	½ of ditto. ..	Nil. ..	Nil. ..	Nil. ..	Nil. ..	5 ditto. ..	Nil.
7½ ditto.	Columbo Root, ..	Nil. ..	⅔ of ditto. ..	Nil. ..	⅓ of Transit Duty.	Nil. ..	⅓ of Transit Duty.	2½ ditto. ..	Nil.
7½ ditto.	Coosoom Fool or Safflower,	Nil. ..	⅔ of ditto. ..	Nil. ..	⅓ of ditto. ..	Nil. ..	⅓ of ditto. ..	2½ ditto. ..	Nil.
7½ ditto.	Copal or Kahroobah,	Nil. ...	⅔ of ditto. ..	Nil. ..	⅓ of ditto. ..	Nil. ..	⅓ of ditto. ..	2½ ditto. ..	Nil.
10 ditto.	Copper, unwrought, ..	Nil. ..	¾ of ditto. ..	Nil. ..	½ of ditto. ..	Nil. ..	Nil. ..	10 ditto. ..	Nil.
2½ ditto.	Copper from Nepaul, wrought or unwrought,	Nil. ..	Nil. ..	2½ per Cent. ..	Nil. ...	2½ per Cent. ..	Nil. ..	7½ ditto. ..	Nil.
10 ditto.	Coral, ...	Nil. ...	¾ of Transit Duty.	Nil. ..	⅔ of Transit Duty.	Nil. ..	Nil. ..	10 ditto. ..	Nil.
7½ ditto.	Coriander or Dhunia, ..	Nil. ..	⅔ of ditto. ..	Nil. ..	⅓ of ditto. ..	Nil. ..	⅓ of Transit Duty.	2½ ditto. ..	Nil.

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		On a British Bottom.		On a Foreign Bottom.		On a British Bottom.		On a Foreign Bottom.	
		Rate of Duty to be Charged.	Drawback to be Allowed.	Rate of Duty to be Charged.	Drawback to be Allowed.	Rate of Duty to be Charged.	Drawback to be Allowed.	Rate of Duty to be Charged.	Drawback to be Allowed.
12 As. per Md. of 96 Calcutta Sa. Weight or 5 per Ct.	Cotton Wool, in its cleaned state,	Nil. ..	Whole amount of Transit Duty.	Nil. ..	Nil. ..	Nil. ..	Nil. ..	12 As. pr. Md. of 96 Sa. Wt. or 5 per Ct.	Nil.
4 As. per Md. of 96 Calcutta Sa. Wt. or 5 pr. Cent.	Cotton Wool, in its uncleaned state or in the pod, ...	Nil. ..	Whole amount of Transit Duty.	Nil. ..	Nil. ..	Nil. ..	Nil. ..	4 As. per Md. of 96 Sa. Wt. or 5 per Ct.	Nil.
7½ ditto.	Cotton Yarn, ..	Nil. ...	⅔ of Transit Duty.	Nil. ..	⅓ of Transit Duty.	Nil. ..	Nil. ...	7½ per Cent. ..	Nil.
5 ditto.	Cow Tails, ...	Nil. ..	½ of ditto. ..	Nil. ...	Nil. ..	Nil. ..	Nil. ..	5 ditto. ...	Nil.
2½ ditto.	Do. from Nepaul,	Nil. ..	Nil. ..	2½ per Cent. ..	Nil. ..	2½ per Cent. ..	Nil. ...	7½ ditto. ...	Nil.
7½ ditto.	Crimdanah or Cochineal, ..	Nil. ..	⅔ of Transit Duty.	Nil. ..	⅓ of Transit Duty.	Nil. ...	⅓ of Transit Duty.	2½ ditto. ...	Nil.
7½ ditto.	Cummin or Jeerah,	Nil. ..	⅔ of ditto. ..	Nil. ..	⅓ of ditto. ..	Nil. ...	⅓ of ditto. ..	2½ ditto. ..	Nil.
5 ditto.	Dammer or Rosin,	Nil. ..	½ of ditto. ..	Nil. ..	Nil. ...	Nil. ..	Nil. ...	5 ditto. ..	Nil.
7½ ditto.	Dhye Flower, ..	Nil. ..	⅔ of ditto. ..	Nil. ..	⅓ of Transit Duty.	Nil. ...	⅓ of Transit Duty.	2½ ditto. ..	Nil.
7½ ditto.	Dhunnia or Coriander, ..	Nil. ...	⅔ of ditto. ..	Nil. ..	⅓ of ditto. ...	Nil. ...	⅓ of ditto. ..	2½ ditto. ..	Nil.
7½ ditto.	Dry Ginger, ..	Nil. ..	⅔ of ditto. ..	Nil. ..	⅓ of ditto. ...	Nil. ...	⅓ of ditto. ..	2½ ditto. ...	Nil.
7½ ditto.	Elephant's Teeth,	Nil. ..	⅔ of ditto. ...	Nil. ..	⅓ of ditto. ...	Nil. ..	Nil. ..	7½ ditto. ..	Nil.
7½ ditto.	Embroidered Goods and Brocades, ..	Nil. ...	⅔ of ditto. ..	Nil. ..	⅓ of ditto. ...	Nil. ..	Nil. ..	7½ ditto. ..	Nil.
2½ ditto.	Do. do. from Nepaul or Oude, ...	Nil. ..	Nil. ...	2½ per Cent. ..	Nil. ..	2½ per Cent. ...	Nil. ...	7½ ditto. ..	Nil.
7½ ditto.	Fooleyl Teyl or Perfumed Oils, ..	Nil. ..	⅔ of Transit Duty.	Nil. ..	⅓ of Transit Duty.	Nil. ..	Nil. ...	7½ ditto. ..	Nil.
2½ ditto.	Do. do. from Nepaul, ..	Nil. ..	Nil. ..	2½ per Cent. ..	Nil. ..	2½ per Cent. ...	Nil. ..	7½ ditto. ...	Nil.

Rate of Inland or Transit Duty payable.	NAMES OF ARTICLES.	If Exported to the United Kingdom, Foreign Europe, or the United States of America.				If Exported to places other than those in Europe or the United States of America.			
		On a British Bottom.		On a Foreign Bottom.		On a British Bottom.		On a Foreign Bottom.	
		Rate of Duty to be Charged.	Drawback to be Allowed.	Rate of Duty to be Charged.	Drawback to be Allowed.	Rate of Duty to be Allowed.	Drawback to be Allowed.	Rate of Duty to be Charged.	Drawback to be Allowed.
7½ pr. Ct.	Frankincense or Gundeberoza, ..	Nil. ..	⅔ of Transit Duty, ..	Nil. ..	⅓ of Transit Duty. ..	Nil. ...	Nil. ..	7½ per Cent....	Nil.
2½ ditto.	Do. do. from Nepaul, ..,	Nil. ..	Nil. ..	2½ per Cent. ..	Nil. ..	2½ per Cent. ..	Nil. ..	7½ ditto. ...	Nil.
7½ ditto.	Fringes, Tape, and Thread	Nil. ..	⅔ of Transit Duty. ...	Nil. ..	⅓ of Transit Duty. ...	Nil. ..	Nil. ...	7½ ditto. ..	Nil.
2½ ditto.	Do. do. from Nepaul or Oude, ...	Nil. ..	Nil. ..	2½ per Cent...	Nil. ...	2½ per Cent. ..	Nil. ...	7½ ditto. ...	Nil.
5 ditto.	Furs, ...	Nil. ...	½ of Transit Duty. ..	Nil. ..	Nil. ..	Nil. ..	Nil. ..	5 ditto. ..	Nil.
2½ ditto.	Do. from Nepaul,	Nil. ..	Nil. ..	2½ per Cent. ..	Nil. ..	2½ per Cent. ..	Nil. ..	7½ ditto. ..	Nil.
7½ ditto.	Galbanum, ..	Nil. ...	⅔ of Transit Duty. ...	Nil. ..	⅓ of Transit Duty. ..	Nil. ..	⅓ of Transit Duty. ..	2½ ditto. ..	Nil.
10 pr. Ct. Town duty.	Ghee, ...	Nil. ..	¾ of Town Duty. ..	Nil. ..	½ of Town Duty, ..	Nil. ...	½ of Town Duty. ...	Nil. ...	Nil.
5 pr. Ct.	Gold & Silver Tissues, Lace & Thread, ..	Nil. ..	½ of Transit Duty. ..	Nil. ...	Nil. ..	Nil. ..	Nil. ..	5 per Cent...	Nil.
10 ditto.	Goopee Muttee or Yellow Ochre,	Nil. ..	¾ of ditto. ...	Nil. ..	½ of Transit Duty. ..	Nil. ..	Nil. ..	10 ditto. ..	Nil.
Nil.	Grain, of all sorts,	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil. ...	Nil. ...	Nil. ...	Nil.
7½ pr. Ct.	Gum Arabick, ..	Nil. ..	⅔ of Transit Duty. ..	Nil. ..	⅓ of Transit Duty. ..	Nil. ...	⅓ of Transit Duty. ...	2½ per Cent...	Nil.
5 ditto.	Gunnies and Gunny Bags,	Nil. ..	½ of ditto. ..	Nil. ...	Nil. ...	Nil. ..	Nil. ..	5 ditto. ..	Nil.
7½ ditto.	Gundeberoza or Frankincense. ..	Nil. ...	¾ of ditto. ...	Nil. ..	⅓ of Transit Duty. ...	Nil. ..	Nil. ..	7½ ditto. ..	Nil.

Rate of Interest or Transit Duty payable.	NAMES OF ARTICLES.	If Exported to the United Kingdom, Foreign Europe, or the United States of America.				If Exported to places other than those in Europe or the United States of America.			
		On a British Bottom.		On a Foreign Bottom.		On a British Bottom.		On a Foreign Bottom.	
		Rate of Duty to be Charged.	Drawback to be Allowed.	Rate of Duty to be Charged.	Drawback to be Allowed.	Rate of Duty to be Charged.	Drawback to be Allowed.	Rate of Duty to be Charged.	Drawback to be Allowed.
2½ pr. Ct.	Gandeberoza or Frankincense from Nepaul, ...	Nil. ..	Nil. ..	2½ per Cent. ..	Nil. ..	2½ per Cent. ..	Nil. ..	7½ per Cent. ...	Nil.
5 ditto.	Hides, Raw, ..	Nil. ..	½ of Transit Duty.	Nil. ..	Nil. ...	Nil. ..	Nil. ..	5 ditto. ...	Nil.
7½ ditto.	Hookah and Hookah Snakes, ..	Nil. ..	⅔ of ditto. ..	Nil. ..	½ of Transit Duty. ...	Nil. ..	Nil. ..	7½ ditto. ..	Nil.
7½ ditto.	Hurrah or Myrobolan, ..	Nil. ...	⅔ of ditto. ..	Nil. ...	⅓ of ditto. ...	Nil. ..	⅓ of Transit Duty. ..	2½ ditto. ...	Nil.
7½ ditto.	Hursinghar Flower, ..	Nil. ..	⅔ of ditto. ..	Nil. ...	⅓ of ditto. ..	Nil. ..	⅓ of ditto. ..	2½ ditto. ...	Nil.
10 ditto.	Hurtaul or Yellow Arsenic, or Orpiment,	Nil. ..	¾ of ditto. ..	Nil. ..	½ of ditto. ..	Nil. ..	Nil. ..	10 ditto. ...	Nil.
10 ditto.	Jarrool Timber, Red or White, ..	Nil. ..	¾ of ditto. ...	Nil. ..	½ of ditto. ...	Nil. ..	Nil. ..	10 ditto. ..	Nil.
7½ ditto.	Jeerah or Cummin, ..	Nil. ..	⅔ of ditto. ...	Nil. ..	⅓ of ditto. ..	Nil. ..	⅓ of Transit Duty. ...	2½ ditto. ..	Nil.
5 ditto.	Indigo, on a fixed valuation of 100 Rs. per Factory Maund, ..	Nil. ..	Whole amount of Transit Duty. ..	Nil. ...	Nil. ..	Nil. ..	Nil. ..	5 ditto. ...	Nil.
5 ditto.	Do. from Nepaul or Oude,	Nil. ..	½ of Transit Duty.	Nil. ..	Nil. ..	2½ per Cent. ..	Nil. ..	7½ ditto. ..	Nil.
10 ditto.	Indian Red, or Ranga Muttee, ...	Nil. ...	¾ of ditto. ..	Nil. ...	½ of Transit Duty.	Nil. ..	Nil. ..	10 ditto. ..	Nil.
7½ ditto.	Jowain or Ajwain, ..	Nil. ..	⅔ of ditto. ..	Nil. ..	⅓ of ditto. ..	Nil. ..	⅓ of Transit Duty. ...	2½ ditto. ...	Nil.

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		On a British Bottom.		On a Foreign Bottom.		On a British Bottom.		On a Foreign Bottom.	
		Rate of Duty to be Charged.	Drawback to be Allowed.	Rate of Duty to be Charged.	Drawback to be Allowed.	Rate of Duty to be Charged.	Drawback to be Allowed.	Rate of Duty to be Charged.	Drawback to be Allowed.
10 pr. Ct.	Iron, & Manufactured Iron,	Nil. ..	¾ of Transit Duty. ..	Nil. ..	½ of Transit Duty.	Nil. ..	Nil. ..	10 per Cent. ..	Nil.
2½ ditto.	Do. do. from Nepaul, ..	Nil. ..	Nil. ..	2½ per Cent. ...	Nil. ..	2½ per Cent. ..	Nil. ..	7½ ditto. ..	Nil.
7½ ditto.	Jatta Munsee, or Spikenard,	Nil. ..	⅔ of Transit Duty.	Nil. ...	⅓ of Transit Duty.	Nil. ..	⅓ of Transit Duty, ...	2½ ditto. ...	Nil.
7½ ditto.	Ivory, ...	Nil. ..	⅔ of ditto. ..	Nil. ..	⅓ of ditto. ..	Nil. ..	Nil. ..	7½ ditto. ..	Nil.
7½ ditto.	Kahroba or Copaul, ...	Nil. ..	⅔ of ditto. ...	Nil. ..	⅓ of ditto. ...	Nil. ...	⅓ of Transit Duty. ..	2½ ditto. ..	Nil.
7½ ditto.	Keorah Water, ..	Nil. ..	⅔ of ditto. ..	Nil. ..	⅓ of ditto. ..	Nil. ..	Nil. ..	7½ ditto. ..	Nil.
2½ ditto.	Ditto from Nepaul, ...	Nil. ...	Nil. ..	2½ per Cent. ..	Nil. ..	2½ per Cent. ..	Nil. ..	7½ ditto. ..	Nil.
5 ditto.	Kutch, ..	Nil. ..	½ of Transit Duty.	Nil. ..	Nil. ..	Nil. ...	Nil. ..	5 ditto. ..	Nil.
5 ditto.	Lack Stick, Shell, Cake & Seed, or Joory, ...	Nil. ..	½ of ditto. ..	Nil. ..	Nil. ..	Nil. ..	⅓ of Transit Duty. ..	Nil. ..	Nil.
5 ditto.	Lace, gold and silver, ..	Nil. ..	½ of ditto, ...	Nil. ..	Nil. ..	Nil. ..	Nil. ..	5 per Cent. ..	Nil.
5 ditto.	Leather, ...	Nil. ..	½ of ditto. ..	Nil. ..	Nil. ..	Nil. ..	Nil. ..	5 ditto. ...	Nil.
7½ ditto.	Loudh, ...	Nil. ..	⅔ of ditto. ...	Nil. ..	⅓ of Transit Duty, ...	Nil. ..	⅓ of Transit Duty. ..	2½ ditto. ..	Nil.
7½ ditto.	Loban or Benjamin, ..	Nil. ..	⅔ of ditto. ..	Nil. ..	⅓ of ditto. ...	Nil. ..	Nil. ...	7½ ditto. ..	Nil.
2½ ditto.	Do. do. from Nepaul, ...	Nil. ..	Nil. ..	2½ per Cent. ..	Nil. ...	2½ per Cent. ..	Nil. ..	7½ ditto. ..	Nil.
7½ ditto.	Long Pepper and its Root, called Piplamoor, ..	Nil.	⅔ of Transit Duty, ...	Nil. ...	⅓ of Transit Duty.	Nil. ..	⅓ of Transit Duty. ..	2½ ditto. ..	Nil.
5 ditto.	Looeys and Blankets, ...	Nil. ..	½ of ditto. ..	Nil. ..	Nil. ..	Nil. ..	Nil. ..	5 ditto. ...	Nil.

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		On a British Bottom.		On a Foreign Bottom.		On a British Bottom.		On a Foreign Bottom.	
		Rate of Duty to be Charged.	Drawback to be Allowed.	Rate of Duty to be Charged.	Drawback to be Allowed.	Rate of Duty to be Charged.	Drawback to be Allowed.	Rate of Duty to be Charged.	Drawback to be Allowed.
2½ pr. Ct.	Looeys and Blankets, from Nepaul,	Nil. ...	Nil. ...	2½ per Cent. ..	Nil. ..	2½ per Cent. ..	Nil. ..	7½ per Cent. ..	Nil.
2½ ditto.	Mace, from Nepaul, ..	Nil. ..	Nil. ..	2½ ditto. ..	Nil. ..	2½ ditto. ..	Nil. ..	7½ ditto. ..	Nil.
7½ ditto.	Madder or Munjeet, ..	Nil. ..	⅔ of Transit Duty, ...	Nil. ..	⅓ of Transit Duty.	Nil. ..	⅓ of Transit Duty. ...	2½ ditto. ..	Nil.
7½ ditto.	Mastick, ..	Nil. ..	⅔ of ditto. ..	Nil. ..	⅓ of ditto. ..	Nil. ..	⅓ of ditto. ..	2½ ditto. ..	Nil.
2 Rs. each.	Matchlocks to be exported only in the mode directed by Section 85, Regulation IX. of 1810, ..	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil. ..	2 Rs. each. ..	Nil.
2½ pr. Ct.	Malabathram Leaf or Taizepaut, from Nepaul,	Nil. ..	Nil. ..	2½ per Cent. ..	Nil. ..	2½ per Cent. ..	Nil. ..	7½ per Cent. ..	Nil.
10 ditto.	Minium or Sindoor, ..	Nil. ..	¾ of Transit Duty.	Nil. ..	½ of Transit Duty.	Nil. ..	Nil. ..	10 ditto. ..	Nil.
7½ ditto.	Morinda or Awl Root, ..	Nil. ..	⅔ of ditto. ..	Nil. ..	⅓ of ditto. ..	Nil. ..	⅓ of Transit Duty.	2½ ditto. ..	Nil.
7½ ditto.	Mowrie, Anise or Souf, ..	Nil. ..	⅔ of ditto. ..	Nil. ..	⅓ of ditto. ..	Nil. ..	⅓ of ditto. ..	2½ ditto. ..	Nil.
7½ ditto.	Munjeet or Madder, ..	Nil. ..	⅔ of ditto. ..	Nil. ..	⅓ of ditto. ..	Nil. ..	⅓ of ditto. ..	2½ ditto. ..	Nil.
7½ ditto.	Musk, ..	Nil. ..	⅔ of ditto. ..	Nil. ..	⅓ of ditto. ..	Nil. ..	Nil. ..	7½ ditto. ..	Nil.
2½ ditto.	Ditto, from Nepaul, ..	Nil. ..	Nil. ..	2½ per Cent. ..	Nil. ..	2½ per Cent. ..	Nil. ..	7½ ditto. ..	Nil.

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		On a British Bottom.		On a Foreign Bottom.		On a British Bottom.		On a Foreign Bottom.	
		Rate of Duty to be Charged.	Drawback to be Allowed.	Rate of Duty to be Charged.	Drawback to be Allowed.	Rate of Duty to be Charged.	Drawback to be Allowed.	Rate of Duty to be Charged.	Drawback to be Allowed.
7½ pr. Ct.	Myrobolans or Buhera, Hurrah, & Ownlah. ..	Nil. ..	⅔ of Transit Duty.	Nil. ..	⅓ of Transit Duty.	Nil. ..	⅓ of Transit Duty.	2½ per Cent....	Nil.
7½ ditto.	Myrrh, ..	Nil. ..	⅔ of ditto. ..	Nil. ..	⅓ of ditto. ..	Nil. ..	⅓ of ditto. ..	2½ ditto. ..	Nil.
5 ditto.	Natron or Sujjee Muttee,	Nil. ..	½ of ditto. ..	Nil. ..	Nil. ..	Nil. ...	Nil. ..	5 ditto. ..	Nil.
7½ ditto.	Nigellah or Calizeerah, ..	Nil. ..	⅔ of ditto. ..	Nil. ..	⅓ of Transit Duty.	Nil. ..	⅓ of Transit Duty.	2½ ditto. ...	Nil.
5 ditto.	Nuhs - Sudder or Sal Amoniac, ...	Nil. ..	½ of ditto. ...	Nil. ..	Nil. ..	Nil. ..	Nil. ...	5 ditto. ..	Nil.
2½ ditto.	Nutmegs from Nepaul, ..	Nil. ..	Nil. ..	2½ per Cent. ...	Nil. ..	2½ per Cent. ..	Nil. ..	7½ ditto. ..	Nil.
7½ ditto.	Oil Seeds, Customs, ...	Nil. ..	⅔ of Transit Duty.	Nil. ..	⅓ of Transit Duty.	Nil. ...	Nil. ..	7½ ditto. ..	Nil.
5 ditto.	Do. Town Duty, ...	Nil. ...	Whole amount of Town Duty.	Nil. ..	Whole amount of Town Duty.	Nil. ..	Whole amount of Town Duty.	Nil. ..	Whole amount of Town Duty.
7½ ditto.	Oils, Vegetable or Animal, Customs, ..	Nil. ..	⅔ of Transit Duty.	Nil. ...	⅓ of Transit Duty.	Nil. ...	Nil. ...	7½ per Cent. ..	Nil.
5 ditto.	Do. do. Town Duty, ...	Nil. ..	Whole amount of Town Duty.	Nil. ..	Whole amount of Town Duty. ..	Nil. ..	Whole amount of Town Duty. ..	Nil. ..	Whole amount of Town Duty.
7½ ditto.	Oils, Perfumed or Essential,	Nil. ..	⅔ of Transit Duty.	Nil. ..	⅓ of Transit Duty.	Nil. ..	Nil. ...	7½ per Cent. ..	Nil.
2½ ditto.	Do. do. from Nepaul, ..	Nil. ...	Nil. ..	2½ per Cent. ...	Nil. ...	2½ per Cent. ..	Nil. ..	7½ ditto. ..	Nil.
Nil.	Opium, purchased at the Govt. Sales,	Nil. ..	Nil. ...	Nil. ...	Nil. ..	Nil. ...	Nil. ...	Nil. ..	Nil.

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		On a British Bottom.		On a Foreign Bottom.		On a British Bottom.		On a Foreign Bottom.	
		Rate of Duty to be Charged.	Drawback to be Allowed.	Rate of Duty to be Charged.	Drawback to be Allowed.	Rate of Duty to be Charged.	Drawback to be Allowed.	Rate of Duty to be Charged.	Drawback to be Allowed.
10 pr. Ct.	Orpiment or Yellow Arsenic, or Hurtaul, ...	Nil. ..	$\frac{3}{4}$ of Transit Duty.	Nil. ..	$\frac{1}{2}$ of Transit Duty.	Nil. ...	Nil. ..	10 per Cent. ..	Nil.
$7\frac{1}{2}$ ditto.	Otter or Essential Oils, ...	Nil. ..	$\frac{2}{3}$ of ditto. ..	Nil. ..	$\frac{1}{3}$ of ditto. ..	Nil. ..	Nil. ..	$7\frac{1}{2}$ ditto. ...	Nil.
$2\frac{1}{2}$ ditto.	Do. do. from Nepaul, ..	Nil. ..	Nil. ...	$2\frac{1}{2}$ per Cent. ..	Nil. ..	$2\frac{1}{3}$ per Cent. ..	Nil. ..	$7\frac{1}{2}$ ditto. ..	Nil.
$7\frac{1}{2}$ ditto.	Ownla or Myrobolans, ..	Nil. ..	$\frac{2}{3}$ of Transit Duty.	Nil. ..	$\frac{1}{3}$ of Transit Duty.	Nil. ...	$\frac{1}{3}$ of Transit Duty.	$2\frac{1}{2}$ ditto.. ...	Nil.
5 ditto.	Paper, Bengal, ..	Nil. ...	$\frac{1}{2}$ of ditto. ..	Nil. ..	Nil. ..	Nil. ..	Nil. ..	5 ditto.. ..	Nil.
Nil.	Palankeens, Carriages, and Buggies, ...	Nil. ..	Nil. ..	Nil. ..	Nil. ...	Nil. ..	Nil. ...	Nil.. ...	Nil.
Nil.	Pearls and Precious Stones,	Nil. ..	Nil. ..	Nil. ..	Nil. ...	Nil. ..	Nil. ..	Nil. ...	Nil.
10 pr. Ct.	Peoree, ..	Nil. ..	$\frac{3}{4}$ of Transit Duty.	Nil. ..	$\frac{1}{2}$ of Transit Duty.	Nil. ..	Nil. ..	10 per Cent. ..	Nil.
10 ditto.	Pepper, Black, and White,	Nil. ..	$\frac{3}{4}$ of ditto. ..	Nil. ..	$\frac{1}{2}$ ditto. ..	Nil. ...	Nil.. ..	10 ditto. ..	Nil.
$2\frac{1}{2}$ ditto.	Piece Goods, Cotton, the manufacture of Company's Territories, ..	Nil. ..	Nil.	Nil.	Nil. ..	Nil. ...	Nil. ...	Nil. ...	Nil.
$2\frac{1}{2}$ ditto.	Piece Goods, Cotton, from Nepaul or Oude, ..	Nil.	Nil.	$2\frac{1}{2}$ per Cent. ..	Nil. ..	$2\frac{1}{2}$ per Cent. ..	Nil. ..	$7\frac{1}{2}$ per Cent. ..	Nil.

Rate of Inland or Transit Duty payable.	NAMES OF ARTICLES.	If Exported to the United Kingdom, Foreign Europe, or the United States of America.				If Exported to places other than those in Europe or the United States of America.			
		On a British Bottom.		On a Foreign Bottom.		On a British Bottom.		On a Foreign Bottom.	
		Rate of Duty to be Charged.	Drawback to be Allowed.	Rate of Duty to be Charged.	Drawback to be Allowed.	Rate of Duty to be Charged.	Drawback to be Allowed.	Rate of Duty to be Charged.	Drawback to be Allowed.
2½ pr. Ct.	Piece Goods, Silk, or partly Silk and partly Cotton, ..	Nil. ..	Nil. ...	2½ per Cent. ..	Nil. ..	2½ per Cent. ..	Nil. ..	7½ per Cent. ..	Nil.
2½ ditto.	Pimento, or All-Spice, from Nepaul, ...	Nil. ...	Nil. ..	2½ ditto. ..	Nil. ..	2½ ditto. ..	Nil. ..	7½ ditto. ..	Nil.
7½ ditto.	Pipe Staves,	Nil. ..	⅔ of Transit Duty.	Nil. ..	⅓ of Transit Duty. .. .	Nil. ..	Nil. ..	7½ ditto. ..	Nil.
7½ ditto.	Piplamoor or Long Pepper Root, ...	Nil. ..	⅔ of ditto. ..	Nil. ..	⅓ of ditto. ..	Nil. ..	⅓ of Transit Duty.	2½ ditto. ...	Nil.
10 ditto.	Prussian Blue, ..	Nil. ..	⅚ of ditto, ..	Nil. ...	½ of ditto. ...	Nil. ..	Nil. ..	10 ditto. ..	Nil.
Nil.	Precious Stones and Pearls,	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil.
7½ pr. Ct.	Putcha Paut, ..	Nil. ..	⅔ of Transit Duty.	Nil. ..	⅓ of Transit Duty.	Nil. ..	Nil. ..	7½ per Cent. ..	Nil.
2½ ditto.	Do. from Nepaul,	Nil. ..	Nil. ..	2½ per Cent. ..	Nil. ..	2½ per Cent. ...	Nil. ..	7½ ditto. ...	Nil.
5 ditto.	Putties & Chuttahs, ..	Nil. ...	½ of Transit Duty.	Nil. ..	Nil. ..	Nil. ...	Nil. ..	5 ditto. ..	Nil.
10 ditto.	Runga Muttee or Indian Red,	Nil. ..	⅚ of ditto. ..	Nil. ...	½ of Transit Duty.	Nil. ..	Nil. ..	10 ditto. ..	Nil.
7½ ditto.	Raw Silk Filature, on a fixed valuation of 7 Rs. per Seer of 80 Calcutta Sa. Wt.	Nil. ...	⅔ of ditto. ..	Nil. ...	⅓ of ditto. ..	Nil. ..	Nil. ..	7½ ditto. ..	Nil.
7½ ditto.	Ditto, Wound do. of 6 Rs. per Seer of do.	Nil. ..	⅔ of ditto. ...	Nil. ...	⅓ of ditto. ..	Nil. ..	Nil. ..	7½ ditto. ...	Nil.

Rate of Inland or Transit Duty payable.	NAMES OF ARTICLES.	If Exported to the United Kingdom, Foreign Europe, or the United States of America.				If Exported to places other than those in Europe, or the United States of America.			
		On a British Bottom.		On a Foreign Bottom.		On a British Bottom.		On a Foreign Bottom.	
		Rate of Duty to be Charged.	Drawback to be Allowed.	Rate of Duty to be Charged.	Drawback to be Allowed.	Rate of Duty to be Charged.	Drawback to be Allowed.	Rate of Duty to be Charged.	Drawback to be Allowed.
7½ pr. Ct.	Raw Silk, Tushah,	Nil. ..	⅔ of Transit Duty.	Nil. ..	⅓ of Transit Duty.	Nil. ...	Nil. ..	7½ per Cent. ..	Nil.
7½ ditto.	Do. Chussum, ..	Nil. ...	⅔ of ditto. ..	Nil. ..	⅓ of ditto. ..	Nil. ..	Nil. ...	7½ ditto. ..	Nil.
5 ditto.	Raw Hides, ...	Nil. ..	½ of ditto. ..	Nil. ..	Nil. ..	Nil. ..	Nil. ..	5 ditto. ...	Nil.
7½ ditto.	Rose Water, ...	Nil. ...	⅔ of ditto. ..	Nil. ...	⅓ of Transit Duty. ..	Nil. ..	Nil. ..	7½ ditto. ..	Nil.
2½ ditto.	Do. from Nepaul,	Nil. ..	Nil. ..	2½ per Cent. ...	Nil. ..	2½ per Cent. ..	Nil. ..	7½ ditto. ..	Nil.
5 ditto.	Rosin or Dammer,	Nil. ..	½ of Transit Duty, ...	Nil. ..	Nil. ..	Nil. ..	Nil. ...	5 ditto. ...	Nil.
Nil.	Rozaries, Beads, or Mallahs, ..	Nil. ...	Nil. ..	Nil. ...	Nil. ..	Nil. ..	Nil. ...	Nil. ...	Nil.
10 pr. Ct.	Saffron, ...	Nil. ..	¾ of Transit Duty.	Nil. ...	½ of Transit Duty.	Nil. ..	Nil. ..	10 per Cent. ..	Nil.
7½ ditto.	Safflower or Coosoom Fool, ...	Nil. ...	⅔ of ditto. ..	Nil. ...	⅓ of ditto. ..	Nil. ..	⅓ of Transit Duty.	2½ ditto. ..	Nil.
5 ditto.	Sal Amoniac or Nuhs Sudder,	Nil. ..	½ of ditto. ..	Nil. ..	Nil. ..	Nil. ..	Nil. ..	5 ditto. ..	Nil.
7½ ditto.	Salt Petre, ...	Nil. ..	⅔ of ditto. ..	Nil. ...	⅓ of Transit Duty. ...	Nil. ..	Nil. ..	7½ ditto. ..	Nil.
7½ ditto.	Sandal Wood, Red, White, or Yellow,	Nil. ..	⅔ of ditto. ..	Nil. ..	⅓ of ditto. ..	Nil. ..	⅓ of Transit Duty.	2½ ditto. ..	Nil.
7½ ditto.	Sappan or Buckum Wood,	Nil. ..	⅔ of ditto. ...	Nil. ..	⅓ of ditto. ...	Nil. ...	⅓ of ditto. ..	2½ ditto. ..	Nil.
10 ditto.	Saul Timber, ...	Nil. ...	¾ of ditto. ..	Nil. ..	½ of ditto. ...	Nil. ..	Nil. ..	10 ditto. ..	Nil.
7½ ditto.	Saunks or Chanks, ..	Nil. ...	⅔ of ditto. ..	Nil. ..	⅓ of ditto. ...	Nil. ..	Nil. ..	7½ ditto. ..	Nil.
Nil.	Seemul Cotton, ..	Nil. ..	Nil. ..	Nil. ..	Nil. ...	Nil. ..	Nil. ..	Nil. ...	Nil.
7½ pr. Ct.	Senna, ...	Nil. ..	⅔ of Transit Duty, ...	Nil. ...	⅓ of Transit Duty.	Nil. ..	⅓ of Transit Duty.	2½ per Cent. ..	Nil.

Rate of Inland or Transit Duty payable.	NAMES OF ARTICLES.	If Exported to the United Kingdom, Foreign Europe, or the United States of America.				If Exported to places other than those in Europe or the United States of America.			
		On a British Bottom.		On a Foreign Bottom.		On a British Bottom.		On a Foreign Bottom.	
		Rate of Duty to be Charged.	Drawback to be Allowed.	Rate of Duty to be Charged.	Drawback to be Allowed.	Rate of Duty to be Charged.	Drawback to be Allowed.	Rate of Duty to be Charged.	Drawback to be Allowed.
7½ pr. Ct.	Setrungees and Carpets ..	Nil. ..	⅔ of Transit Duty.	Nil. ..	⅓ of Transit Duty.	Nil. ..	Nil. ..	7½ per Cent. ..	Nil.
10 ditto.	Shawls, ...	Nil. ..	¾ of ditto. ...	Nil. ..	½ of ditto. ..	Nil. ...	Nil. ..	10 ditto. ..	Nil.
4 As. each.	Shields, to be exported only, in the mode directed by Section 85, Regulation IX. of 1810.	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil. ..	4 As. each. ..	Nil.
5 pr. Ct.	Shoes, Boots, and Slippers,	Nil. ..	½ of Transit Duty, ...	Nil. ..	Nil. ..	Nil. ...	Nil. ...	5 per Cent. ..	Nil.
10 ditto.	Sissoo Timber, ..	Nil. ..	¾ of ditto. ...	Nil. ..	½ of Transit Duty.	Nil. ...	Nil. ..	10 ditto. ..	Nil.
10 ditto.	Sindoor or Minium, ...	Nil. ...	¾ of ditto. ..	Nil. ...	½ of ditto. ..	Nil. ..	Nil. ..	10 ditto. ..	Nil.
7½ ditto.	Sitsaul Wood, ..	Nil. ..	⅔ of ditto. ..	Nil. ..	⅓ of ditto. ..	Nil. ..	Nil. ..	7½ ditto. ..	Nil.
7½ ditto.	Silk Raw Filature, on a fixed valuation of 7 Rs. per Seer, of 80 Calcutta Sa. Wt.	Nil. ..	⅔ of ditto. ..	Nil. ...	⅓ of ditto. ..	Nil. ...	Nil. ..	7½ ditto. ...	Nil.
7½ ditto.	Silk, Bengal, Wound, on a fixed valuation of 6 Rs. per Sr. of 80 Calcutta Sa. Wt.	Nil. ..	⅔ of ditto. ...	Nil. ..	⅓ of ditto. ..	Nil. ..	Nil. ...	7½ ditto. ..	Nil.
7½ ditto.	Silk, Tushah, ...	Nil. ..	⅔ of ditto. ..	Nil. ..	⅓ of ditto. ...	Nil. ..	Nil. ..	7½ ditto. ..	Nil.
7½ ditto.	Silk, Chussum, ..	Nil. ..	⅔ of ditto. ..	Nil. ...	⅓ of ditto. ..	Nil. ...	Nil. ..	7½ ditto. ...	Nil.
5 ditto.	Soap, ..	Nil. ..	½ of ditto. ..	Nil. ..	Nil. ..	Nil. ..	Nil. ..	5 ditto. ..	Nil.

Rate of Inland or Transit Duty payable.	NAMES OF ARTICLES.	If Exported to the United Kingdom, Foreign Europe, or the United States of America.				If Exported to places other than those in Europe or the United States of America.			
		On a British Bottom.		On a Foreign Bottom.		On a British Bottom.		On a Foreign Bottom.	
		Rate of Duty to be Charged.	Drawback to be Allowed.	Rate of Duty to be Charged.	Drawback to be Allowed.	Rate of Duty to be Charged.	Drawback to be Allowed.	Rate of Duty to be Charged.	Drawback to be Allowed.
7½ pr. Ct.	Souf, Anise, or Mowrie, ..	Nil. ..	⅔ of Transit Duty.	Nil. ..	⅓ of Transit Duty.	Nil. ..	⅓ of Transit Duty. ...	2½ per Cent....	Nil.
7½ ditto.	Soonamookey Leaf, ..	Nil. ..	⅔ of ditto. ..	Nil. ...	⅔ of ditto. ...	Nil. ..	⅓ of ditto. ..	2½ ditto. ..	Nil.
10 ditto.	Soondry Timber, ..	Nil. ..	¾ of ditto. ...	Nil. ..	½ of ditto. ..	Nil. ..	Nil. ..	10 ditto. ..	Nil.
7½ ditto.	Spikenard, or Jutta Munsee, ..	Nil. ...	⅔ of ditto. ..	Nil. ..	⅓ of ditto. ..	Nil. ..	⅓ of Transit Duty. ..	2½ ditto. ...	Nil.
6 Annas per Gallon Police or Excise Duty.	Spirits manufactured after the European manner, at any licensed distillery in any of the provinces under the Bengal Presidency, provided the quantity be 1000 Gallons or upwards.	Nil. ...	3 As. pr. Gallon.	Nil. ..	1½ As. pr. Gallon.	Nil. ..	3 As. pr. Gallon.	Nil. ..	1½ As. pr. Gallon.
6 Annas per Gallon Police or Excise Duty.	Do. do. if the quantity be less than 1000 Gallons,	Nil. ..	Nil. ..	Nil. ...	Nil. ..	Nil. ..	Nil. ...	Nil. ..	Nil.
10 pr. Ct.	Steel, wrought or unwrought,	Nil. ..	¾ of Transit Duty. ..	Nil. ...	½ of Transit Duty.	Nil. ..	Nil. ..	10 per Cent..	Nil.
2½ ditto.	Do. do. from Nepaul, ...	Nil. ..	Nil. ..	2½ per Cent. ..	Nil. ..	2½ per Cent. ..	Nil.	7½ ditto. ..	Nil.

Rate of Inland or Transit Duty payable.	NAMES OF ARTICLES.	If Exported to the United Kingdom, Foreign Europe, or the United States of America.				If Exported to places other than those in Europe or the United States of America.			
		On a British Bottom.		On a Foreign Bottom.		On a British Bottom.		On a Foreign Bottom.	
		Rate of Duty to be Charged.	Drawback to be Allowed.	Rate of Duty to be Charged.	Drawback to be Allowed.	Rate of Duty to be Charged.	Drawback to be Allowed.	Rate of Duty to be Charged.	Drawback to be Allowed.
5 pr. Ct.	Stone Plates, ..	Nil. ..	½ of Transit Duty.	Nil. ..	Nil. ..	Nil. ..	Nil. ...	5 per Cent. ..	Nil.
7½ ditto.	Storax, ..	Nil. ..	⅔ of ditto. ..	Nil. ...	⅓ of Transit Duty. ..	Nil. ...	⅓ of Transit Duty. ..	2½ ditto. ...	Nil.
5 ditto.	Sujjee Muttee or Natron,..	Nil. ...	½ of ditto. ..	Nil. ..	Nil. ..	Nil. ..	Nil. ..	5 ditto. ..	Nil.
5 ditto.	Sugar, Jagry, Goor and Syrup, Customs, ..	Nil. ..	½ of ditto. ..	Nil. ..	Nil. ..	Nil. ..	Nil. ..	5 ditto. ..	Nil.
5 ditto.	Do. do. Town Duty, ...	Nil. ..	Whole amount of Town Duty.	Nil. ..	Whole amount of Town Duty, ...	Nil. ..	Whole amount of Town Duty. ..	Nil. ..	Whole amount of Town Duty.
10 ditto.	Sulphur, or Brimstone,	Nil. ..	¾ of Transit Duty.	Nil. ..	½ of Transit Duty. ..	Nil. ..	Nil. ..	10 per Cent. ...	Nil.
1 Rs. each.	Swords, to be exported only in the mode directed by Section 85, Regulation IX, of 1810,	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil. ..	Nil. ..	1 Rs. each, ...	Nil.
7½ pr. Ct.	Tape, Thread, and Fringes,	Nil.	⅔ of Transit Duty, ...	Nil. ...	⅓ of Transit Duty, ...	Nil. ..	Nil. ..	7½ per Cent....	Nil.
2½ ditto.	Do. do. from Nepaul, or Oude, ..	Nil. ..	Nil. ..	2½ per Cent. ..	Nil. ..	2½ per Cent. ..	Nil. ..	7½ ditto. ..	Nil.
2½ ditto.	Taizepaut, or Malabathram Leaf from Nepaul,	Nil. ..	Nil. ..	2½ per Cent. ...	Nil. ...	2½ ditto. ...	Nil. ..	7½ ditto. ..	Nil.
Nil.	Teak Timber, ...	Nil. ..	Nil. ..	Nil. ...	Nil. ..	Nil. ..	Nil. ...	Nil. ...	Nil.

Rate of Inland or Transit Duty payable.	NAMES OF ARTICLES.	If exported to the United Kingdom, Foreign Europe, or the United States of America.				If Exported to places other than those in Europe or the United States of America.			
		On a British Bottom.		On a Foreign Bottom.		On a British Bottom.		On a Foreign Bottom.	
		Rate of Duty to be Charged.	Drawback to be Allowed.	Rate of Duty to be Charged.	Drawback to be Allowed.	Rate of Duty to be Charged.	Drawback to be Allowed.	Rate of Duty to be Charged.	Drawback to be Allowed.
7½ pr. Ct.	Thread, Tape, and Fringes,	Nil. ..	⅔ of Transit Duty. ...	Nil. ..	⅓ of Transit Duty. ...	Nil. ...	Nil. ..	7½ per Cent. ..	Nil.
2½ ditto.	Do. do. from Nepaul or Oude, ..	Nil. ..	Nil. ..	2½ per Cent. ..	Nil. ..	2½ per Cent. ..	Nil. ...	7½ ditto. ..	Nil.
5 ditto.	Thread, Gold and Silver,	Nil. ..	½ of Transit Duty.	Nil. ..	Nil. ..	Nil. ...	Nil. ..	5 ditto. ..	Nil.
5 ditto.	Tincal, or Borax, ..	Nil. ..	½ of ditto. ..	Nil. ..	Nil. ..	Nil. ..	Nil. ..	5 ditto. ..	Nil.
2½ ditto.	Do. do. from Nepaul, ..	Nil. ..	Nil. ..	2½ per Cent. ..	Nil. ..	2½ per Cent. ..	Nil. ..	7½ ditto. ..	Nil.
5 ditto.	Tissues, Gold and Silver,	Nil. ..	½ of Transit Duty. ...	Nil. ..	Nil. ..	Nil. ..	Nil. ..	5 ditto. ..	Nil.
4 As. per Maund.	Tobacco, Customs ...	Nil. ..	Whole amount of Transit Duty.	Nil. ..	All in excess of 5 pr. Ct. on the Value.	Nil. ..	All in excess of 5 pr. Ct. on the Value.	Nil. ..	All in excess of 10 pr. Ct. on the value.
10 pr. Ct.	Tobacco, Town Duty, ..	Nil. ...	Whole amount of Town Duty.	Nil. ..	Whole amount of Town Duty.	Nil. ..	Whole amount of Town Duty.	Nil. ...	Whole amount of Town Duty.
7½ ditto.	Toon Wood, ..	Nil. ...	⅔ of Transit Duty.	Nil. ...	⅓ of Transit Duty. ...	Nil. ..	Nil. ..	7½ per Cent...	Nil.
7½ ditto.	Toond Flower, ..	Nil. ...	⅔ of ditto. ..	Nil. ..	⅓ of ditto. ..	Nil. ..	⅓ of Transit Duty. ...	2½ ditto. ..	Nil.
5 ditto.	Tooteeah, or Vitriol, ..	Nil. ..	½ of ditto. ..	Nil. ..	Nil. ..	Nil. ..	Nil. ..	5 ditto. ..	Nil.
7½ ditto.	Tuggur, ..	Nil. ..	⅔ of ditto. ..	Nil. ..	⅓ of Transit Duty. ..	Nil. ..	⅓ of Transit Duty.	2½ ditto. ...	Nil.
5 ditto.	Turmeric, Town Duty,	Nil. ..	½ of ditto. ..	Nil. ...	Nil. ..	Nil. ..	Nil. ..	5 ditto. ..	Nil.
10 ditto.	Vermillion, ..	Nil. ...	¾ of ditto. ..	Nil. ..	½ of Transit Duty. ..	Nil. ..	Nil. ...	10 ditto. ..	Nil.
10 ditto.	Verdegrise, ..	Nil. ..	¾ of ditto, ...	Nil. ..	½ of ditto. ...	Nil. ..	Nil. ..	10 ditto. ..	Nil.

Rate of Inland or Transit Duty payable.	NAMES OF ARTICLES.	If Exported to the United Kingdom, Foreign Europe, or the United States of America.				If Exported to places other than those in Europe, or the United States of America.			
		On a British Bottom.		On a Foreign Bottom.		On a British Bottom.		On a Foreign Bottom.	
		Rate of Duty to be Charged.	Drawback to be Allowed.	Rate of Duty to be Charged.	Drawback to be Allowed.	Rate of Duty to be Charged.	Drawback to be Allowed.	Rate of Duty to be Charged.	Drawback to be Allowed.
7½ pr. Ct.	Uggur or Aloe Wood, ...	Nil. ..	⅔ of Transit Duty.	Nil. ..	⅕ of Transit Duty.	Nil. ..	⅓ of Transit Duty.	2½ per Cent. ..	Nil.
7½ ditto.	Vidry Ware, ..	Nil. ..	⅔ of ditto. ...	Nil. ..	⅓ of ditto. ...	Nil. ..	Nil. ...	7½ ditto. ..	Nil.
5 ditto.	Vitriol, or Tooteeah, ..	Nil. ..	½ of ditto. ..	Nil. ..	Nil. ...	Nil. ..	Nil. ..	5 ditto. ..	Nil.
10 ditto.	Wax, and Wax Candles, ..	Nil. ..	¾ of ditto. ..	Nil. ..	½ of Transit Duty, ..	Nil. ..	Nil. ..	10 ditto. ..	Nil.
5 ditto.	Woollens, viz. Looyes, and Blankets, ...	Nil. ..	½ of ditto. ...	Nil. ..	Nil. ..	Nil. ...	Nil. ..	5 ditto. ..	Nil.
2½ ditto.	Do. do. from Nepaul, ...	Nil. ..	Nil. ..	2½ per Cent. ..	Nil. ..	2½ per Cent. ..	Nil. ..	7½ ditto. ..	Nil.
10 ditto.	Yellow Ochre, or Goopy Muttee,	Nil. ..	¾ of Transit Duty.	Nil. ..	½ of Transit Duty. ..	Nil. ..	Nil. ...	10 ditto. ...	Nil.
	Country Articles not enumerated in this Table & which have not been specifically exempted from duty by this Regulation, shall, if they are not liable to any Transit or Town Duty, pay, on Exportation,	2½ per Cent. ..	Nil. ..	5 per Cent. ..	Nil. ..	5 per Cent. ..	Nil. ..	10 per Cent. ..	Nil.

NOTE.—The above Duties and Drawbacks are to be charged and allowed on Goods duly covered by Rowannahs evidencing the payment of Inland or Town Duty. No Drawback shall be allowed on any of the said Goods, which may be brought for Exportation, without a Rowannah, or with a Rowannah, of which the period has expired, but on the exportation of such Goods (except in Cases wherein the whole Amount of Inland Duty is drawn back,) an Export Duty shall be levied, in addition to that specified in the Table, equivalent to the prescribed Transit Duty chargeable on the like Goods minus—the Drawback receivable on the Export of the same.

A. D. 1825. REGULATION XVI.

A REGULATION *to make further provision for empowering the Courts of Circuit to pass sentence in certain cases of Robbery without reference to the Court of Nizamut Adawlut:*—PASSED *by the Governor General in Council on the* 21*st July* 1825, *corresponding with the* 7*th Sawun* 1232 *Bengal Era; the* 21*st Sawun* 1232 *Fusly; the* 8*th Sawun* 1232 *Willaity; the* 6*th Sawun* 1882 *Sumbut, and the* 4*th Zehijja* 1240 *Higeree.*

WHEREAS under the Regulations in force the trials of all persons convicted before the Courts of Circuit of the crime of robbery by open violence, as defined in Section III. Regulation LIII. 1803, with an exception to the cases provided for in Regulation III. 1825, are referrible to the Court of Nizamut Adawlut; and Whereas the provisions contained in the latter Regulation, which were intended to relieve that Court from a part of the numerous trials referred to it, and at the same time to expedite the administration of Criminal

Preamble.

Criminal Justice, have been found insufficient for this purpose; and it appears expedient that the Courts of Circuit should be empowered to pass sentence in certain other cases without reference; the Governor General in Council has therefore enacted the following rules, to be in force as soon as promulgated throughout the Provinces under this Presidency.

Certain Regulations relative to the punishment of the crime of robbery, rescinded or modified by the present Regulation.

II. Regulation III. 1825, is hereby rescinded; and so much of Section VIII. Regulation XVII. 1817, and of the preceding Regulations therein referred to, or of any other Regulation in force, as requires that the Courts of Circuit shall in all cases of conviction of the crime of robbery by open violence, as defined in the first Clause of Section III. Regulation LIII. 1803, refer the trial of the prisoner or prisoners so convicted for the final sentence of the Court of Nizamut Adawlut, is hereby modified, as stated in the following Section.

Judges of Circuit empowered to pass sentence upon persons convicted of robbery in certain cases, without reference to the Nizamut Adawlut.

III. *First.* In cases of conviction before a Court of Circuit of the crime of robbery by open violence, as defined in Section III. Regulation LIII. 1803, or of an attempt to commit the same, if the robbery shall not have been accompanied with murder, or with an attempt to commit murder, whether by wounding, burning, strangling, poisoning, drowning, throwing into a well, or by any other means, nor have been accompanied with wounding, burning, or other corporal injury to any person or persons in such a degree as to endanger life, nor have been attended with any other aggravating act of criminality, such as may appear to the Judge

of

of Circuit, before whom the trial is held, to merit and call for a more severe punishment than thirty-nine strokes with a ratan, and imprisonment with hard labor for fourteen years in banishment from the district where the prisoner may have resided, the Judge of Circuit concurring with his Law Officer in the conviction of the prisoner or prisoners is authorized and directed without reference to the Nizamut Adawlut (as required by the Sixth Clause of Section VIII. Regulation XVII. 1817,) to pass such sentence as he may deem adequate to the offence on due consideration of all the circumstances of the case, not exceeding the number of strokes and term of imprisonment with hard labor in banishment above specified.

The Judges of Circuit shall not be competent in certain cases to pass sentence for a less punishment than 14 years imprisonment in banishment.

Second. Provided in all cases, that if the robbery shall have been committed by a gang of three or more armed robbers, whether armed with any species of fire-arms, or with spears, swords, clubs or other weapons, the Court of Circuit shall not be competent to pass sentence on conviction for a less punishment than fourteen years imprisonment in banishment. If such punishment should appear in any such case to be too severe, the trial shall be referred to the Court of Nizamut Adawlut, with a letter from the Judge of Circuit, stating the circumstances which may induce him to propose a mitigated sentence.

The Judge of Circuit may refer the trial to the Court of Nizamut Adawlut for a mitigation of the sentence.

A. D. 1825. REGULATION XVII.

A REGULATION *for transferring the Zillah of Goruckhpore from the Jurisdiction of the Provincial Court of Appeal and Circuit of Benares and annexing it to that of the Court of Appeal and Circuit of Patna; for changing the order of holding the half yearly Jail Deliveries at the Stations comprized within the Several Circuits; for providing that the Sessions shall be held in future at the Stations of certain Joint Magistrates; for authorizing Special arrangements with respect to others, and for altering the periods fixed for the commencement of the* 1*st and* 2*d Circuits of the Calcutta Division.—Passed by the Governor General in Council on the* 4*th August* 1825, *corresponding with the* 21*st Sawun* 1232, *Bengal era; the* 6*th Sawun* 1232 *Fusly; the* 22*d Sawun* 1232 *Willaity; the* 5*th Sawun* 1882 *Sumbut, and the* 18*th Zehijja* 1240 *Higeree.*

WHEREAS

A. D. 1825. REGULATION XVII.

PREAMBLE.

WHEREAS it has been Judged expedient to separate the Zillah of Goruckhpore from the Jurisdiction of the Court of Circuit and Provincial Court of Appeal for the Division of Benares and to annex that Zillah to the Jurisdiction of the Court of Circuit and Provincial Court of Appeal for the Division of Patna, and whereas it has been deemed expedient to provide that the Stations of certain Joint Magistrates should be visited (some annually and others in the regular Course of Circuit) and the Sessions held there in cases where the adoption of the arrangement has been found to be consistent with public convenience; and whereas it has consequently become necessary to alter the order of succession prescribed in the existing Regulations for holding the Jail Deliveries at the several Stations comprized within the Circuits generally; and it appearing proper to alter the dates prescribed by Section III. Regulation II. 1804, for the commencement of the first and second Circuits for the Division of Calcutta: The following rules have been enacted to take effect from the promulgation of this Regulation; or with respect to the transfer of Zillah Goruckhpore from the 28th day of September 1825, corresponding with the 14th Assin 1232, Bengal era; the 1st Assin 1233 Fusly; the 15th Assin 1233 Willaity; the 1st Assin 1882 Sumbut, and the 14th Suffer 1240 Higeree.

The Zillah of Goruckhpore transferred from the jurisdiction of the Provincial Court of Appeal and Circuit for the Division of Benares and annexed to that of Patna.

II. Such parts of Regulation VIII, 1804, and of any other Regulation now in force as declare the Zillah of Goruckhpore subject to the Jurisdiction of the Court of Circuit and Provincial Court of Appeal for the Division of Benares

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are hereby rescinded. The said Zillah shall hereafter be subject to the Jurisdiction of the Court of Circuit and Provincial Court of Appeal for the Division of Patna.

Modification of the existing order of succession for holding the Jail deliveries at the stations of the several Magistrates and Joint Magistrates.

III. Such part of Section VI, Regulation III, 1798, as prescribes the order of succession for holding the Jail Deliveries of the Dacca Division; such part of Section VII, Regulation II, 1804, as fixes the order of succession for holding the Jail Deliveries of the Patna Division, Clause First, Section VII, Regulation II. 1804, and Sections IV and V, Regulation I. 1806, are hereby rescinded, and the following order of succession for holding the Jail Deliveries at the Stations of the several Magistrates and Joint Magistrates of the Divisions of Bareilly, Benares, Calcutta, Dacca, Moorshedabad and Patna will hereafter be observed, instead of that prescribed in the several rescinded rules above quoted.

Bareilly Court of Circuit.

1. Furruckabad.
2. Cawnpore.
3. Etawa.
4. Mynpooree.
5. Agra.
6. Alligurh.
7. Boolund Shuhur.
8. Meeruth.
9. Moozuffer Nuggur.
10. Seharunpore.
11. Nugeena.
12. Moradabad.

Benares

Benares Court of Circuit.

1. Mirzapore.
2. Banda.
3. Hameerpore.
4. Bhitoora (Futtehpore.)
5. Allahabad.
6. Jounpore.
7. Azimgurh.
8. Ghazeepore.

Calcutta Court of Circuit.

1. Jessore.
2. Nuddeah.
3. Hooghly.
4. Burdwan.
5. Jungle Mahals.
6. Midnapore.

Dacca Court of Circuit.

1. Mymensingh.
2. Sylhet.
3. Tipperah.
4. Chittagong.
5. Noacally.
6. Backergunge.
7. Dacca Jelalpore.

Moorshedabad Court of Circuit.

1. Bhaugulpore.

2. Purneah.

2. Purneah.
3. Dinagepore.
4. Rungpore.
5. Rajeshahye.
6. Bagoorah.
7. Beerbhoom.

Patna Court of Circuit.

1. Ramgurh.
2. Behar.
3. Shahabad.
4. Goruckhpore.
5. Sarun.
6. Tirhoot.

Rules to be observed for holding the Sessions at certain stations.

IV. Circumstances connected with the public convenience having suggested the necessity of prescribing special rules for holding the Sessions at the stations of the Joint Magistrates of Barasut, Balasore, Maldah, Monghyr and Shahjehanpore, the following rules are hereby enacted:

Viz. Barasut.

First. The Judge who may proceed on the first Circuit for the Calcutta Division, shall, in the first instance, visit the Station of the Joint Magistrate of Barasut, and there hold the trial of any prisoners who may have been committed during the month immediately preceding the commencement of the Circuit, but all prisoners committed in the former months shall be sent for trial at the monthly sessions of the 24 Pergunnahs as heretofore. It shall not be necessary

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for the Judge of Circuit to visit the station of the Joint Magistrate of Nugwan whose commitments will be tried at the Sudder Station of Midnapore.

Viz. Balasore and Khoordah.

Second. The Commissioner of Cuttack will hold the half-yearly Jail Delivery of Prisoners committed by the Joint Magistrate of Balasore, at the Station of that officer, provided that when the other public avocations of the Commissioner may not admit of this arrangement, the prisoners committed by the Joint Magistrate shall be sent as heretofore to take their trial at the Sudder Station of Cuttack. It shall not be necessary for the Commissioner to visit the Station of the Joint Magistrate of Khoordah, whose commitments will continue to be tried at the Sudder Station of Cuttack as heretofore.

Ditto Malda.

Third. The Judge who may proceed on the Second Circuit for the Moorshedabad Division, shall, on concluding the Sessions at Bhaugulpore, proceed to Maldah, and there hold the trial of any persons who may have been committed since the last Jail Delivery. Any prisoners who may be committed for trial between the second and first Sessions shall be sent as heretofore to the Sudder Station of the Districts in which the Thannahs under the controul of the Joint Magistrate may be situated.

Ditto Monghyr.

Fourth. The Judge who may proceed on the first Circuit for the Moorshedabad Division, shall, on concluding the Sessions at Bhaugulpore, proceed to Monghyr, and there hold the trial of any prisoners who may have been committed

since

since the last Jail Delivery. Any prisoners who may be committed for trial between the first and second Sessions shall be sent for trial as heretofore to the Sudder Stations of the Districts in which the Thannahs under the controul of the Joint Magistrate may be situated; but as this Joint Magistracy comprises also portions of the Behar and Tirhoot Zillahs, all commitments, at whatever time made, for offences occurring in those Thannas subject to the Joint Magistrate's jurisdiction which are situated in the districts abovementioned, shall be sent to the Sudder Stations of those districts as heretofore for trial by the Patna Court of Circuit.

Fifth. The Judge who may proceed on the first Circuit for the Division of Bareilly shall visit the Station of the Joint Magistrate of Shahjehanpore, in the first instance; and there hold the trial of any prisoners who may have been committed during the month immediately preceding the commencement of the Circuit, but all prisoners committed in the former month shall be sent for trial at the monthly Sessions of Bareilly as heretofore. It shall not be necessary for the Judge of Circuit to visit the stations of the Joint Magistrates of Deyradoon or Sirpoorah and the prisoners committed to take their trial by those Officers shall be sent as heretofore to the Sudder Stations of Seharunpore and Furrukhabad respectively.

Viz. Shahjehanpore.

V. Such part of Section III, Regulation II. 1804, as declares that the first Circuit for the Calcutta Division shall commence on the 1st of April and the Second on the 1st of October, is hereby rescinded, and the first Circuit for that Division

Rule for the commencement of the Circuits for the Division of Calcutta.

Division shall in future commence on the 1st of May and the Second on the 1st of November.

The order of holding the Jail deliveries at the station of a Magistrate or Joint Magistrate may be altered in future without the enactment of a Regulation.

VI. In the event of any future alterations becoming necessary in the order of holding the Jail Deliveries at the Station of a Magistrate or Joint Magistrate, it shall be competent to the Governor General in Council to direct the same without the necessity of a new Regulation for that purpose.

A. D. 1825. REGULATION XVIII.

A REGULATION *for annexing the Settlement of Chinsurah, and other Territories, Ceded to the British Government by the Government of the Netherlands, to the Zillah and City Jurisdictions, most contiguous thereto; and to provide for the future administration of the said Territories:*—PASSED *by the Governor General in Council, on the* 25*th August* 1825, *corresponding with the* 11*th Bhadoon* 1232 *Bengal Era; the* 27*th Sawun* 1232 *Fusly; the* 12*th Bhadoon* 1232 *Willaity; the* 12*th Sawun* 1882 *Sumbut, and the* 10*th Mohurrem* 1241 *Higeree.*

PREAMBLE.

WHEREAS in pursuance of a Treaty concluded between the British and Netherlands Governments, on the 17th day of March 1824, the Settlement of Chinsurah, and Territory appertaining thereto, as well as the Factories and Lands held by the Netherland Authorities at Calcapore, Dacca, Fulta, Patna and Balasore, in the Provinces of Bengal, Behar and Orissa, have been Ceded in perpetuity to the British Government, and whereas it is necessary, in consequence, to make provision for the future administration

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of the said Settlement and Territories; and for annexing the same to the most contiguous Zillah and City Jurisdictions; the Governor General in Council has accordingly enacted the following Rules to be in force from the time of their promulgation.

Settlement of Chinsurah annexed to Zillah Hooghly.

II. *First.* The Town and Settlement of Chinsurah shall be annexed to and included in the Zillah of Hooghly.

The Dutch Factories at Calcapore and at other places annexed to the Zillah and City Jurisdictions within which they are situated.

Second. The late Dutch Factories at Calcapore and Dacca, and the Lands appertaining to them, shall be annexed to the City Jurisdictions of Moorshedabad and Dacca respectively; those at Fulta and Balasore, shall be annexed to the Zillah Jurisdictions of the 24 Pergunnahs and Cuttack respectively, and the late Dutch Factory at Patna, and the Lands appertaining to it, shall be annexed to the Jurisdiction of the City of Patna.

The administration of Civil and Criminal Justice and the Collection of Revenue in the above Settlement and Territories to be conducted under the Regulations in force.

III. Subject to the provisions contained in this Regulation, the Rules for the administration of Civil and Criminal Justice, and the Police in the Provinces of Bengal, Behar and Orissa, as well as those for the Collection of the Land Revenue, Customs, Abkaree, and Stamp Revenues, and generally the whole of the Regulations in force for the internal administration of the Provinces abovementioned, (the special Rules for Cuttack only excepted) are hereby declared to be in full force and effect in the Settlement and Territories specified in the preceding Section, from the date of the promulgation of this Regulation.

IV. *First*

IV. *First.* It shall be competent to the Governor General in Council, to refer to the Court of Sudder Dewanny Adawlut, and that Court is hereby authorised to hear and determine, any appeals from decisions already passed by the European Court of Civil Justice at Chinsurah, which have been referred for final decision to the Dutch Superior Court at Batavia, but have not been decided by that Court.

Appeals from decisions already passed at Chinsurah and which have been referred to the Court at Batavia but not decided there, how to be tried.

Second. It shall further be competent to the Court of Sudder Dewanny Adawlut, to receive and determine any appeals from decisions in Civil Suits, which may have been decided by the European Court at Chinsurah, before the Cession of that Settlement to the British Government, and which were appealable to the Superior Court at Batavia; but the appeals in which had not been preferred, or, if preferred, the proceedings in which had not been referred to the Batavia Court. Provided with respect to all appeals not actually preferred and admitted before the Cession, that they shall not be admitted by the Court of Sudder Dewanny Adawlut, without good and sufficient cause being shewn for the delay.

Appeals to be received in certain other cases by the Court of Sudder Dewanny Adawlut from decisions passed before the Cession.

Third. Provided also that the laws and usages which governed the decisions of the European Court of Justice at Chinsurah, shall govern the decisions of the Court of Sudder Dewanny Adawlut in all appeals which may be tried and decided by that Court under the provisions of this Section.

The decisions of the Court in such cases to be regulated by the laws and usages which governed the decisions of the European Court of Justice at Chinsurah.

Fourth. If the amount or value in any of the appealed cases referred to in the Second Clause of this Section shall not exceed the amount which under Regulation XVI.

Appeals referrible by the Court of Sudder Dewanny Adawlut to the Provincial Court of Calcutta for decision.

1797, renders a cause appealable to the King in Council; viz. 43,103 Rs. the Court of Sudder Dewanny Adawlut is authorized in such cases to direct the Calcutta Provincial Court of Appeal to try and decide the same; subject to the provisions contained in the Third Clause of this Section, and the decision of the Provincial Court shall be final, unless a special appeal be admissible to the Sudder Dewanny Adawlut, under the rules in force for second, or special appeals.

Rules for preferring appeals in Civil Suits, determined after the promulgation of the present Regulation.

Fifth. In all Civil Suits determined after the promulgation of this Regulation, the general rules in force for appeals to the Provincial Courts and Court of Sudder Dewanny Adawlut will, of course, be applicable, as well as those which authorize an appeal to the Zillah or City Court, if the original decision have been passed by a Register, Sudder Ameen, or Moonsiff.

The Civil Courts prohibited from entertaining any claims or suits which may have been formerly decided by competent authority.

V. The Civil Courts of Judicature are prohibited from entertaining any claim or suit which from the production of a former decree, or from the Records of Court, shall appear to have been finally heard and determined by any former Judge, or Superintendent of any Court of competent Jurisdiction. If any doubt should arise respecting the competency of the former Jurisdiction, the case shall be reported for the instructions of the Governor General in Council, whose determination upon this point shall be conclusive.

Deeds regularly executed to be received in evidence by the Civil Courts.

VI. All Deeds of whatever denomination, whether written on Stamp Paper or otherwise, that may have been regularly

regularly and legally executed, according to the Dutch Law or established local usage previously to the promulgation of this Regulation, are hereby declared to be valid, and the several Courts of Civil Judicature are empowered and directed to admit such deeds in evidence; and in any Judicial Proceedings that may be held on such documents, the Courts are to be governed by the Law and usage, under which the same were prepared and executed.

The decision of Civil Suits regarding Succession, Inheritance, Marriage, and special Contract to be governed by the Laws and usages of the Parties.

VII. In the decision of all Civil Suits regarding Succession, Inheritance, Marriage and special Contract, in which the parties may be Europeans, heretofore subject to the Netherland Authorities, or their descendants, and as well as generally in all cases where the parties may be Europeans, or Foreigners of any description, or their descendants, the Courts shall be guided, as far as practicable, by the spirit of the Rule prescribed in Section XV. Regulation IV. 1793; which directs, that "in Suits regarding Succession, Inheritance, Marriage, and Cast, and all Religious usages and institutions, the Mahomedan Laws with respect to Mahomedans, and the Hindoo Laws with regard to Hindoos, are to be considered the general rules by which the Judges are to form their decisions."

Offences committed before the promulgation of the present Regulation how to be punished.

VIII. In all Criminal trials for Offences committed before the promulgation of this Regulation, whenever it may appear that the punishment of the Offence under the provisions of this Regulation would be more severe than the punishment prescribed for the same offence under the Laws in force, when the Settlement and Territories referred to in this

Regulation,

Regulation, came into the Possession of the British Government, the punishment to be adjudged against the Prisoner shall be regulated by the Law which was in use, when the said Territories came into the Possession of the British Government.

Appointment of a Dutch Law Officer or Fiscal and his duties.

IX. *First.* An Officer to be denominated "the Dutch "Law Officer or Fiscal," shall be appointed by the Governor General in Council on the Establishment of the Judge of Zillah Hooghly; and it shall be his duty to expound the Laws and usages of the Settlement of Chinsurah, and its late dependencies, in all cases that may be submitted to him, either by the Civil or Criminal Courts.

The Fiscal to furnish Translations of all Dutch papers.

Second. It shall be the further duty of the "Fiscal" to furnish translations of all papers filed in the Dutch language, and to interpret them truly to the respective Courts, as well as generally to perform such other duties as may be specially assigned to him by the local Judge or Magistrate.

Written opinion of the Fiscal to be put upon record.

Third. Provided always that the particular Law, Custom or Usage which may have influenced the final Judgment of the Court, shall be specifically stated or referred to in the Decree, Sentence, or Order affected thereby, and the Fiscal's written opinion shall remain attached to and be constantly kept with the record of the case.

The Fiscal to be also a Sudder Ameen, with Civil and Criminal powers.

Fourth. The Fiscal, or Dutch Law Officer, shall moreover, by virtue of his Office, be deemed a Sudder Ameen, with the full powers invested in Judicial Officers of that description

description by Regulations II. and III. 1821, within the Town and Settlement of Chinsurah; in this capacity he shall be employed in the trial and decision of any suits, or cases, Civil or Criminal, that may, under the general Regulations, be referred to him, as Sudder Ameen, by the Zillah Judge, or Magistrate, respectively; and shall be governed in the trial and decision of such cases by the Rules and Regulations which are or may be in force for the guidance of Sudder Ameens.

X. The provisions of Regulation II. 1820, as far as they relate to the Settlement of Chinsurah are hereby rescinded.

Parts of Regulation II. 1820, relative to Chinsurah rescinded.

A. D. 1825.—REGULATION XIX.

A REGULATION *to prescribe the manner in which His Highness the Nazim of Bengal, shall Sue, or be Sued in the Courts of Civil Judicature:*—PASSED *by the Governor General in Council, on the* 29*th September* 1825, *corresponding with the* 15*th Assin* 1232 *Bengal era; the* 2*d Assin* 1233 *Fusly; the* 16*th Assin* 1233 *Willaity; the* 2*d Assin* 1882 *Sumbut, and the* 15*th Suffer* 1240 *Higeree.*

PREAMBLE.

WHEREAS the existing Regulations do not sufficiently provide for the manner in which His Highness the Nazim of Bengal shall claim or defend his rights in the Courts of Civil Judicature, the following Rules have been enacted, to be in force from the period of their promulgation.

The Agent to the Governor General at Moorshedabad may institute Suits in the Civil Courts, on the part of the Nazim of Bengal.

II. It shall be competent to the Agent to the Governor General at Moorshedabad, or other Officer, however denominated, exercising for the time being the controul and superintendance of the Affairs of the Nizamut on the part of the Governor General in Council, to institute Suits in the Courts of Civil Judicature on the part of His Highness the Nazim of Bengal, and to conduct them as Plaintiff or Appellant in such manner as may appear proper.

When Suits may be instituted against the Nazim, the notice is to be served on the Agent, who will defend them.

III. In like manner, should any Suit be instituted in any Court of Civil Judicature against His Highness the Nazim of Bengal, the ordinary notice shall be issued upon the Agent to the Governor General, or other Officer aforesaid, who shall conduct the defence on the part of His Highness.

The Nazim and the Agent to the Government exempted from furnishing Security and from process of attachment.

IV. Provided always, that security shall not be required from, nor shall attachment in any case issue against His Highness, or against the Agent to the Governor General, or other Officer aforesaid; but should the Court require the payment of any costs, damages, or other sums of money, or the delivery of any Lands, and after order duly made and served on the Agent, any unreasonable delay should arise, it shall be competent to the Court to transmit a Copy and Translation of the decree or order to the Secretary to Government in the Persian Department, when the Governor General in Council will issue such orders as may be necessary for the discharge of the amount due.

Order and Decrees of the Civil Courts in such Suits how to be executed.

A. D. 1825. REGULATION XX.

A REGULATION *for declaring the Jurisdiction of the Military Courts Martial and Courts of Requests, constituted by a recent Act of Parliament, and for modifying some parts of the existing Regulations in conformity thereto:*—PASSED *by the Governor General in Council on the 3d November* 1825, *corresponding with the* 19*th Cautick* 1232, *Bengal era;* 8*th Cautick* 1233, *Fussily; the* 20*th Cautick* 1233, *Willaity; the* 7*th Cautick* 1882, *Sumbut; and the* 21*st Rubee-ul-uwal* 1241, *Higeree.*

PREAMBLE.

BY an Act of Parliament passed in the 4th Year of the Reign of his present Majesty King George the Fourth, entitled "An Act to consolidate and amend the Laws for punishing Mutiny and Desertion of Officers and Soldiers in the service of the East India Company," Provision is made for the Trial by Courts Martial of European British Subjects, either actually serving as Officers or Soldiers or otherwise attached

to

to the Army, when accused of Murder, Rape, Robbery, Theft, and other Offences committed in a Foreign Territory, or at any place within the Territories subject to the Presidency of Fort William, situate at a greater distance from that Presidency than 120 miles, as well as for investing Military Courts of Requests, constituted according to the provision of the aforesaid Act, with the cognizance of actions of debt, and all personal actions, to an amount not exceeding 400 Rs. against any British Commissioned or Non-Commissioned Officer or Soldier or other persons amenable to the provisions of the Act at places situated beyond the Jurisdiction of the Court of Requests in Calcutta; It has, in consequence, become necessary to rescind or modify certain parts of the Regulations in force which relate to the Apprehension or Trial of British Subjects accused of Criminal Offences, and to the cognizance of Petty offences and actions of Debt by a Military tribunal; the following Rules have been accordingly enacted to be in force from the date of their Promulgation throughout the Territories subject to the Presidency of Fort William.

European British Subjects, being persons attached to the Army serving within certain limits, when apprehended by Magistrates on charges of a Criminal nature, to be delivered over to the Commanding Officer of the Corps to which they may belong.

II. *First.* In modification of the Rules contained in Regulation II. 1796. Section XIX. Regulation VI. 1803, and Regulation XV. 1806. It is hereby provided, that if any European British Subject who shall be apprehended by or brought before a Magistrate on a charge of Murder, Rape, Robbery, Theft, or other Criminal Offence, shall be found, on his apprehension, to have been, at the time when the Offence laid to his charge may have been committed, a Commissioned or Non-Commissioned Officer, or Soldier, serving with any body of Troops in the service of his Majesty, or of the Honorable East India Company, at any place, not within the Territories subject to the Presidency of Fort William, or

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at any place within such Territories, which may be situated above 120 Miles from the aforesaid Presidency or to have been, when the Offence was committed, a person attached to such body of Troops in any of the Capacities specified in Sections XLV. and LX. of Statute IVth. Geo. IVth. Cap. LXXXI, it shall be the duty of the Magistrate, by whom such person so accused may be apprehended, instead of proceeding to hear Evidence to the charge as directed in such cases in the Regulations abovementioned, to deliver over such person so charged, together with a statement of the charge brought against him, to the Commanding Officer of the Regiment, Corps, or Detachment to which such accused person shall belong, or to the Commanding Officer of the nearest Military Station, for the purpose of his being brought to trial before a Court Martial under the Provisions of the said Act of Parliament.

Magistrates, on application made to them by a Commanding Officer, to assist in the apprehension of all persons amenable to trial by Court Martial, when accused of Criminal Offences.

Second. It shall further be the duty of every Magistrate, on a written application being made to him for that purpose by the Commanding Officer of any Regiment, Corps, or Detachment stationed or employed as specified in the preceding Clause, to use his utmost endeavour for the apprehension of any British Officer, Non-Commissioned Officer, Soldier or other person of the description therein alluded to, who may have been charged with the crime of Murder, Rape, Robbery, Theft, or other Criminal Offence, and also to give his assistance and that of the Officers under his control in securing the person so accused.

Magistrates required to enforce Processes for attendance of Witnesses, &c. before Courts Martial, on application made to them.

Third. It is hereby declared that it shall be competent to the Judge Advocate General or Deputy Judge Advocate, or other person appointed to conduct the proceedings of any Court Martial assembled for the trial of Offences under the

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Provisions of the said Act of Parliament to transmit to the Magistrate of the Zillah or City, within whose jurisdiction persons, whose attendance before such Court Martial is required, may reside, any Warrant, Summons or other Process, for the attendance of such person, and it shall be the duty of such Magistrate, who may be so applied to, to give his assistance and that of the Officers under him in the due execution of such Process, and generally to aid and assist in the execution of all Processes issued by such Courts Martial.

Magistrates prohibited from enquiring into charges of a Criminal nature preferred against British subjects when attached to the Army within certain limits and who may have been already tried by a Court Martial for the same.

Fourth. The several Zillah and City Magistrates are hereby prohibited from receiving and enquiring into any Criminal Charge of the nature described in Section II. of Statute IVth. Geo. IVth. Cap. LXXXI, which may be preferred to them against any British Commissioned or Non-Commissioned Officer, Soldier, or other person attached to the Army who may have been regularly brought to trial under the provisions of the said Act and acquitted or convicted by the Sentence of a Court Martial of such Offence; Provided, however, that in any case wherein it may be ascertained by the Magistrate, on due enquiry, that any person accused of such Criminal Offence, who may be subject to trial by Court Martial, has not been brought to trial for such Offence before a Court Martial, and that no effectual proceedings have been taken, or have been ordered to be taken, against him, then and in that case it shall be the duty of the Magistrate to report the circumstance for the information and orders of the Governor General in Council; who, if it appear to him proper so to do, will direct the Case to be proceeded upon in the ordinary course of law; and the Magistrate, if so authorized, shall be competent to proceed against the Offender under the provisions of the Regulations hitherto in force.

Proviso for Cases in which the Magistrate shall have duly ascertained that the Accused neither has been nor will be tried by a Court Martial.

Fifth.

Fifth. Provided always, and it is hereby declared that nothing contained in the foregoing Clauses shall be held to restrict the Magistrates of Districts, either in their ordinary capacity of Magistrates, or as His Majesty's Justices of the Peace duly qualified, from proceeding under the Rules heretofore in force against all British Subjects charged with Criminal Offences, who may not be attached to the Army, or subject to be tried for such Offences by a Court Martial.

Magistrates will proceed as heretofore against British Subjects accused of Criminal Offences when such persons are not attached to the Army or amenable to trial by Court Martial.

Sixth. It is hereby further declared, that the Provisions of this Regulation as far as the same relate to Criminal Offences committed by any Commissioned or Non-Commissioned Officer, Soldier or other person attached to the Army, being British Subjects, shall not be held to apply, or be in force when such Offences shall be committed by persons of the above description attached to any body of Troops which may be stationed in the Garrison of Fort William or at Barrackpore, Midnapore, Dum-Dum or at any other place within the Territories under the Presidency of Fort William, which may not be situated at a greater distance than 120 miles from the said Presidency; and in all such places, the powers and authorities vested by Law in the Magistrates and Justices of the Peace shall continue to be and remain in full force and effect.

These Provisions not to apply to Troops in Fort William or stationed at any other place which is not situated above 120 miles from the Presidency.

IV. *First.* Such parts of Regulation XX. 1810, or of any other Regulation in force, as provide for the cognizance by a Military Tribunal of actions of Debt, and all personal actions not exceeding in value or amount the sum of 200 Rupees, are hereby declared not to be applicable to cases of debt, or other personal actions in which the party sued may be a British Subject attached

Provisions of Regulation XX. 1810, or other Regulations in force declared not applicable to debts due from British Subjects attached to the Army.

to

Such debts and actions provided for by Sect. LVII. of Stat. IV. George IV. Cap. LXXXI.

to the Army within the descriptions of persons specified in Section LVII of Statute IVth. Geo. IVth. Cap. LXXXI, by which amongst other things it is enacted, that in all places where the said Company's Forces now are or may be employed, or where any body of His Majesty's Forces may be serving with the Forces of the said Company, situate beyond the jurisdiction of the Court of Requests at the City of Calcutta, actions of Debt, and all personal actions against such Officers, Non-Commissioned Officers, or Soldiers, all persons licensed to act as Sutlers to any Corps or Detachment, or at any Station or Cantonment, or other persons amenable to the provisions of this Act, or resident within the limits of a Military Cantonment, shall be cognizable before a Court of Requests composed of Military Officers, and not elsewhere, provided the value in question shall not exceed 400 Sicca Rupees, and that the Defendant was a person of the above description when the cause of action arose.

Certain powers heretofore vested in the Magistrates in the cognizance of debts due by British Subjects declared to be no longer in force.

Second. The power given to the Magistrates of Districts, by Section CVI. of Statute LIII. Geo. IIId. Cap. CLV. to take cognizance of Debts not exceeding 50 Rs. alleged to be due from British Subjects to Natives of India, and to pass a summary decision on the same, in so far as regards claims on Officers or Soldiers being European British Subjects, is also repealed by the Section LVII. of Statute IVth. Geo. IVth. Cap. LXXXI.

British subjects attached to the army declared still amenable to Local Courts for debts exceeding 400 Rs.

Third. Officers and Soldiers being European British Subjects will still be subject to the jurisdiction of the Local Courts of Civil Justice, under the provisions of Section CVII. of Statute LIII. Geo. IIId. Cap. CLV. except in actions of Debt and personal actions not exceeding 400 Rupees in value or amount.

Fourth.

Fourth. The Provisions of Section XXII, Regulation XX. 1810, will still remain in force so far as they relate to actions of Debt and personal actions against Officers, Soldiers and Retainers of the description therein specified or referred to, not being European British Subjects within the provisions referred to in the First Clause of this Section.

To what extent the provisions of Section XXII. Regulation XX. 1810, will still remain in force.

V. Whenever a Witness in attendance before a General Court Martial or other Military Court duly authorized to administer an oath, shall refuse to be sworn, and the Court shall be of opinion that the testimony of such Witness is essential, and that there is no sufficient reason to exempt him from taking the Oath, the Judge Advocate General or other Officer conducting the proceedings of the Court, shall be authorized to forward such Witness with a written Statement to the Zillah or City Magistrate or Joint Magistrate within whose Jurisdiction the Court may be held, and the Magistrate or Joint Magistrate is hereby directed to make such enquiries into the case as may satisfy him, that the Witness ought or ought not to be exempted from taking an Oath under the Provisions of Regulation L. 1803. If the Magistrate or Joint Magistrate shall be of opinion that no sufficient grounds exist for exempting the Witness from taking the prescribed Oath, he shall proceed in the same manner as if the refusal to give evidence on oath had taken place in his own Court.—On the other hand, if he shall be of opinion that the Witness ought not to be compelled to take the Oath, he shall certify the same to the Judge Advocate General or other Officer above referred to, and shall not impose any penalty on such Witness.

Course to be followed in case of a Witness refusing to be Sworn before a Military Court.

Enquiries to be made by the Magistrates and Joint Magistrates.

A. D. 1825. REGULATION XXI.

A REGULATION *for annexing to the Jurisdiction of the Commissioner of Kumaoon the tract of Country called the Deyra Doon, and also the Pergunnah of Chandnee, heretofore forming part of the Districts of Seharunpore and Moradabad.*—PASSED *by the Governor General in Council on the 8th December* 1825, *corresponding with the 24th Aughun* 1232, *Bengal era; the* 13*th Aughun* 1233, *Fussily; the* 25*th Aughun* 1233, *Willaity; the* 14*th Aughun* 1882, *Sumbut; and the* 27*th Rubbeeussanee* 1241, *Higeree.*

PREAMBLE.

BY the Provisions of Regulation IV. 1817, the tract of Country denominated the Deyra Doon was annexed to the District of Seharunpore, and the Laws and Regulations in force in that District were, with certain exceptions, extended to the Deyra Doon; local circumstances, however, have rendered it expedient to transfer the abovementioned tract of Country to the jurisdiction of the Commissioner in Kumaoon, and

and also to place under the same authority the whole of the Pergunnah of Chandnee, part of which is now attached to the District of Moradabad, and part to the District of Seharunpore. The Governor General in Council has, accordingly, been pleased to enact the following Rules to be in force from the date of their promulgation.

Part of Regulation IV. 1817, rescinded, and the Deyra Doon to be in future annexed to the jurisdiction of the Commissioner of Kumaoon.

II. Section II. Regulation IV. 1817, which declares that the tract of Country called the Deyra Doon shall be annexed to the District of Seharunpore, is hereby rescinded. The remaining Sections of that Regulation are to remain in force, but from and after the promulgation of this Regulation, the Deyra Doon shall be annexed to the jurisdiction of the Commissioner for the Province of Kumaoon.

Pergunnah Chandnee to be in future subject to the authority of the Commissioner of Kumaoon.

III. In like manner the Pergunnah of Chandnee, partly situated in the District of Moradabad, and partly in that of Seharunpore, is hereby separated from those Districts, and declared subject to the authority of the Commissioner of Kumaoon.

The provisions of Regulation X. 1817, declared applicable to the Deyra Doon and to Pergunnah Chandnee, and all other Regulations to cease to have effect in those tracts of Country.

IV. From and after the promulgation of this Regulation, the operation of all Regulations not expressly extended to the Province herein mentioned, shall cease to have effect in the Deyra Doon, and in the Pergunnah of Chandnee; and the System of internal administration now established in the Province of Kumaoon, under the provisions of Regulation X. 1817, shall be considered applicable to those tracts of Country; subject to such modifications as local circumstances, or other considerations may, hereafter, render necessary or expedient.

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ALTERATIONS,

ALTERATIONS, MODIFICATIONS, RESCISSIONS, EXTENSIONS, &c. &c.

Regulations Altered.					*By what Regulation.*		
Year.	*Regulation.*	*Section.*	*Clause.*		*Regulation.*	*Section.*	*Clause.*
1793	IX.	LIX.	—	Rescinded by - -	XII.	V.	*First.*
—	XXXI.	—	—	Explained by - -	X.	—	—
—	XXXVII.	—	—	Modified by - - -	XIII.	V.	—
—	XLV.	—	—	Modified by - - -	VII.	II.	*First, Second, Third.*
1795	XX.	—	—	Modified by - - -	VII.	II.	*First, Second, Third.*
—	XLII.	—	—	Modified by - - -	XIII.	V.	—
1796	II.	XIX.	—	Modified by - - -	XX.	II.	*First.*
1798	III.	VI.	—	Partly Rescinded by -	XVII.	III.	—
1803	VI.	—	—	Modified by - - -	XX.	II.	*First.*
—	VII.	XXVIII.	—	Rescinded by - -	XII.	V.	*First.*
—	XXVI.	—	—	Modified by - -	VII.	II.	*First, Second, Third.*
—	XXXVI	—	—	Modified by - -	XIII.	V.	—
—	XXXVII.	—	—	Explained by - -	X.	—	—
1804	II.	VII.	—	Partly Rescinded by - -	XVII.	III.	—
—	VIII.	—	—	Ditto Ditto, - - -	XVII.	II.	—
1806	XV.	—	—	Modified by - -	XX.	II.	*First.*
1810	IX.	XXXIX.	—	Explained by - -	IX.	VII.	—
—	—	—	—	Partly Rescinded by- -	XV.	II.	*First.*
—	XX.	—	—	Explained by - -	XX.	IV.	*First and Fourth.*
1811	III.	—	—	Partly Rescinded by - -	XV.	II.	*First.*
1813	XII.	—	—	Ditto Ditto, - - -	—	—	—
1814	XXVI.	IV.	*Second.*	Partly Applied by - -	II.	II.	*First.*
—	—	XV.	*Eighth.*	Explained by - -	VII.	VII.	—
—	XXVIII	—	—	Extended by - -	II.	V.	—
—	—	—	—	Applied by - - -	II.	II.	*First.*
1815	IV.	—	—	Partly Rescinded by - -	XV.	II.	*First.*
1816	X.	—	—	Rescinded by - - -	—	—	*Second.*
1817	IV.	II.	—	Rescinded by - - -	XXI.	II.	—
—	X.	—	—	Applied by - - -	—	IV.	—
—	XV. XVI. XXI.	—	—	Partly Rescinded by - -	XV.	II.	*First.*
	XXI.	V.	—	Applied by - - -	—	III.	*First.*
	XVII.	VIII.	—	Modified by - -	XVI.	II.	—
—	—	VIII.	—	Modified in part by - -	III.	II.	—
—	XX.	XXV.	*Seventh.*	Applied by - - -	I.	III.	*Second.*
1818	VIII.	V. VI. and VII.	—	Applied by - - -	IV.	III.	—
—	—	—	—	Explained by - - -	IV.	V.	—
1819	II.	XXVI.	—	Modified by - - -	XIV.	VI.	—
—	—	V. VI. VIII. X. XI. XIII. XV. XXII. XXX.	—	Ditto Ditto by - - -	IX.	V.	—

Regulations Altered, &c.					By What Regulations.		
Year	Regulation	Section.	Clause.		Regulation.	Section.	Clause.
1819	IX.	II.	II.	Rescinded by - - -	II.	IV.	*First.*
1820	II.	———	———	Partly Rescinded by -	XVIII.	X.	———
———	V.	———	———	———	XV.	II.	*First.*
1822	VII.	II. to XXXV. inclusive,	———	Extended by - - -	IX.	II.	*First.*
———	———	XXIII. XXV. XXVIII.	———	Applied by - - -	———	V.	*Ninth.*
1823	II.	———	———	Partly Rescinded by -	XII.	II.	———
———	V.	———	———	Ditto Ditto	XV.	II.	*First.*
1825	III.	———	———	Rescinded by - - -	XVI.	II.	———

ALLUVION AND DERELICTION.	Regulation.	Section.	Clause.
Claims and disputes relative to alluvial lands to be decided by immemorial and definite usage when such shall be clearly recognized and established,	XI.	II.	
Where no such local usage may be established the claims to be decided by the rules declared in the following Sections, ...		III.	
Lands gained by gradual accession from the recess of a river or the sea, to be considered as an increment to the tenure of the person to whose estate it may be annexed. Proviso, ...		IV.	*First.*
When a river by a sudden change of its course may break through and intersect an estate, the lands so separated, being clearly recognized, shall remain the property of the original owner, ...			*Second.*
Churs or Islands thrown up in a large and navigable river, the channel between the island and the shore not being fordable, to be at the disposal of Government. But if fordable, to whom they shall belong, ...			*Third.*
Claims to Churs, &c. &c. thrown up in small and shallow rivers, how to be determined, ...			*Fourth.*
Disputes relative to lands gained by alluvion or dereliction of a river or the sea, not provided for by the provisions of the present Regulation, how to be adjusted, ...			*Fifth.*
Encroachments on beds of navigable river and other obstructions to their free navigation, prohibited, ...		V.	

CANOONGOES.

	Regulation.	Section.	Clause.
CANOONGOES.			
Under certain circumstances Minhyedars and their heirs may be continued by Government in possession of resumed lands heretofore held as Lakhiraj tenures by Canoongoes. Subject to assessment. Restriction on parties claiming Zemeendarry interest or other proprietary right, who are prohibited from disturbing the possession of Minhyedars whose possession has been sanctioned by Government. Proviso, ...	XIII.	II.	
The tenures of Minhyedars so situated, declared to be hereditary and transferrible, but should they escheat to Government, the parties possessing Zemeendaree interest, will be admitted to engage for the revenue, subject to a fresh assessment, ...		III.	
The principles of the above Sections to be applicable to all cases of Lakhiraj resumptions coming within certain rules, ...		IV.	
Modifications of former Regulations relative to the settlement of resumed Jageer, Altumgha, Mududmash, Ayma, or other Badshahee grants, and to the resumption of the Lakhiraj tenures, ...		V.	
COMMERCIAL RESIDENTS.			
Commercial Residents and their assistants prohibited from engaging in any commercial transactions in partnership with others, and partnership concerns now existing to be dissolved, on or before the 31st December, 1826, ...	X.	II.	
But are not forbidden from becoming Members of Insurance Companies, or Contributors to a Tontine, or parties in any general association, ...		III.	
COMMISSIONER OF KUMAON.			
Part of Regulation IV. 1817, rescinded, and the Deyra Doon to be in future annexed to the jurisdiction of the Commissioner of Kumaon, ...	XXI.	II.	
Pergunnah Chandnee to be in future subject to the authority of the Commissioner of Kumaon, ...		III.	
The provisions of Regulation X. 1817, declared applicable to the Deyra Doon and to Pergunnah Chandnee, and all other Regulations to cease to have effect in those tracts of country, ...		IV.	

COURTS

COURTS OF CIRCUIT.	Regulation.	Section.	Clause.
Part of Section VIII. Regulation XVII. 1817, modified, ...	III.	II.	
Courts of Circuit empowered to pass final sentence in certain cases of Robbery, without a reference to the Court of Nizamut Adawlut, ...		III.	
Rescinding the rules which authorize Courts of Circuit to adjudge corporal punishment by stripes in cases of affray, ...	XII.	II.	
No female to be hereafter sentenced to Corporal Punishment by stripes by any of the Courts of Criminal Justice, ...		III.	
The use of the Corah, as an instrument of punishment, prohibited in all cases, and the ratan to be used in its stead. The term Corah in the Regulations to be changed to ratan, ...		IV.	
Corporal Punishment by ratan, for contempt of Court in the Courts of Circuit, prohibited, ...		V.	*First.*
Persons guilty of contempt of Court, in any of the Criminal Courts to be liable to a fine, commutable, if not paid, to imprisonment in the Civil Jail,			*Second.*
Rule to be observed on the occurrence of wilful contempts in the Courts of the Sudder Ameens and Native Law Officers, ...			*Third.*
The foregoing rule of commutation of fine to imprisonment, to be also applicable to all the Civil Courts, ...		VI.	*First.*
Extended to the Civil Courts of the Sudder Ameens and Moonsiffs, with certain restrictions, ...			*Second.*
The Courts of Circuit declared competent to pass final sentence, and carry the same into execution without a reference to the Nizamut Adawlut, in all cases of culpable homicide not amounting to wilful Murder, and in certain other cases, ...		VII.	*First.*
In what cases a reference may still be made to the Nizamut Adawlut, ...			*Second.*
In trials referred to the Nizamut Adawlut, the final Sentence of Death to be in future passed, by at least two concurrent Judges, instead of a single Judge,		VIII.	
Certain Regulations, relative to the punishment of the crime of robbery, rescinded or modified by the present Regulation, ...	XVI.	II.	
Judges of Circuit empowered to pass sentence upon persons convicted of robbery in certain cases, without reference to the Nizamut Adawlut, ...		III.	*First.*

The

	Regulation.	Section.	Clause.
The Judges of Circuit shall not be competent in certain cases to pass sentence for a less punishment, than 14 years imprisonment in banishment. The Judge of Circuit may refer the trial to the Court of Nizamut Adawlut, for a mitigation of the sentence, ...	XVI.	III.	*Second.*
DUTIES AND DRAWBACKS.			
Rescission of existing provisions, ...	XV.	II.	*First.*
Ditto, ...			*Second.*
Certain provisions to continue rescinded or modified, ...			*Third.*
Imports by sea to be charged with Duties specified in Schedule No. 1, annexed to this Regulation. Proviso, ...		III.	*First.*
Re-exports to be allowed a Drawback, as specified in Schedule No. 2, ...			*Second.*
Duties chargeable and Drawbacks allowed on articles, the produce and manufacture of the country, when exported by sea, to be regulated by Schedule No. 3, ...			*Third.*
EXECUTION OF DECREES.			
Parts of the Regulations in force, relating to sale of Lands in satisfaction of Decrees of Courts, explained and modified, ...	VII.	II.	*First.*
Sales of houses, gardens, orchards, and small portions of Lakhiraj land, in execution of Decrees, to be conducted under the authority of the Judicial Officers, ...			*Second.*
The sale of Landed Property, under a judicial process, to be conducted under the same forms as sales of Personal Property, ...			*Third.*
The same Officers to be employed in the sale of Houses, &c. as in the sale of Landed Property, ...		III.	*First.*
A proclamation to be issued thirty days previously to the sale of such property. How such proclamation is to be made and notified, ...			*Second.*
The usual processes for attachment and sale may be issued simultaneously. No sale to take place without the specified proclamation being made, and any material irregularity will render the sale liable to be declared invalid, if a petition on stampt			

paper

	Regulation.	Section.	Clause.
paper be presented within one month after the sale, ...			*Third.*
In cases where sales are annulled and no collusion appears, the purchaser to have his purchase money returned, with or without interest, as may appear proper, ...			*Fourth.*
Summary decision passed by Judges or Registers, appealable to the Provincial Courts, ...			*Fifth.*
How Judicial Officers are to proceed, in cases where claims are made to the advertised property, or objections made to the sale of it. Provided such claim or objection shall not have been designedly delayed. But should the claim be urged, with a fraudulent design, the sale is to proceed, and the claimant left to prosecute in the Civil Court, ...			*Sixth.*
In all cases of the sale of property, the bidders shall be apprized that nothing is guaranteed to them beyond the rights and interests of the individuals answerable for the amount of the decree, ...			*Seventh*
The provision contained in the foregoing Clause, declared applicable to all public sales of land made by Collectors or other Revenue Officers, in execution of decrees of the Courts of Judicature or other Judicial process, ...		IV.	*First.*
The Courts how to proceed, when a sale of landed property cannot be effected without a reference to the Revenue authorities, ...			*Second.*
The Board of Revenue to instruct the Collector of the district in which the lands may be situated, to select for sale any part of them, which may appear most convenient, ...			*Third.*
In the event of any claim or objection against the sale, the Collector shall communicate the same to the Court, and shall be guided by the instructions he may receive, ...			*Fourth.*
In cases where objections are communicated by Collectors, or claims preferred to lands ordered for sale, the Judge, &c., to institute a summary enquiry, and if requisite, to instruct the Collector to postpone the sale. Such postponement to be held unnecessary, if the claim has not been preferred within a reasonable period, ...			*Fifth.*
All Judicial authorities, who may have ordered sales of lands by Revenue Officers, empowered to declare such sales null and void, and to order a			

re-sale,

LIBRARY

	Regulation.	Section.	Clause.
re-sale, if, on summary enquiry, any material irregularity be satisfactorily established.—Proviso, In certain cases, the purchase money to be returned, with or without interest, ...		V.	*First.*
Summary decisions passed under this Section, appealable to the Provincial Courts, ...			*Second.*
The Civil Courts may require the aid of the Collectors in the enforcement of decrees, relating to Malgoozaree land, whenever it may appear conducive to their complete and speedy execution, ...		VI.	
Clause Eighth, Section XV. Regulation XXVI. 1814, explained, and the several Courts empowered to require security for making good decrees, or in failure thereof, to cause an attachment of property, ...		VII.	
JUDGES AND COLLECTORS.			
The official acts of all Public Officers, who, under competent authority, have heretofore exercised the united powers of Judge and Collector, or Register and Collector, declared to be legal and valid,	V.	II.	
Power reserved to the Governor General in Council to vest the whole or any portion of the jurisdiction of a Judge, or a Collector of Revenue in the hands of the same Officer, ...		III.	*First.*
Proviso, precluding a Judge, in such cases, from trying claims preferred by individuals, for acts done by him in his capacity of Collector. Such claims to be cognizable by the Provincial Court of the division, under the Rules in force, ...			*Second.*
JUDICIAL OFFICERS.			
Judicial European Officers empowered to Superintend, in person, the execution of their own process, and to adopt such legal measures, on the occasion, as may appear necessary, ...	I.	II.	
The powers vested by the existing Regulation in Police Officers, for the service of process, under the Seal and Signature of Police Darogahs, declared applicable to all Officers intrusted with the execution of process in Criminal cases, under the Seal and Signature of Judicial European Officers, ...		III.	*First.*
The punishment prescribed by Clause VII. Section XXV. Regulation XX. 1817, in cases of abuse of official duty, declared applicable to all			

Police

	Regulation.	Section.	Clause.
Police Officers and others employed to execute a Warrant, or other Process, ...			*Second.*
LAKHIRAJ TENURES.			
Lakhiraj Tenures declared not to be valid, except when granted, or confirmed under the sanction of Government, or confirmed by a competent Court of Judicature, in a suit regularly tried and decided, or by a Revenue Board, acting under Special Rules, in a Judicial capacity, ...			
Right of Government to Assess Lakhiraj lands, not barred by resolutions or orders of certain Officers and authorities, except as above excepted, ...	XIV.	II.	
Rules for trying the validity of grants, made by persons previously to the acquisition of the country, by the British Government, ...		III.	*First.*
Lakhiraj Tenures of which uninterrupted possession shall have been held, exempt from Assessment at and after certain dates, to be held valid. And in certain cases continued to Heirs. Proviso, in case of a Derivative Tenure from a Jageerdar, or other person, who held rent-free lands, under a temporary, or conditional Tenure. In such cases, parcels of land so held, to follow the condition of the principal Tenure, ...		III.	*Second.*
The Proof of the Title to rest with the persons claiming to hold or recover the Lakhiraj Tenure,			*Third.*
One or more successions to any Tenure, previous to the periods above specified, not to establish a title of inheritance, unless it be of a hereditary nature, ...			*Fourth.*
The Courts of Judicature and Revenue Authorities, shall not recognize any Potentate or Authorities, save the persons described in this Clause, to have been vested with Supreme power.			*Fifth.*
Conditions requisite to establish the validity of grants, made by the Kings of Delhi, or other of the Authorities, above specified, ...			*Sixth.*
Specification of the periods, at which the several provinces subordinate to the Presidency of Fort William, were acquired by the British Government, ...			*Seventh*
Conditions necessary to the Validity of Grants, not made or confirmed by the Supreme Power, ...			*Eighth.*

Certain

	Regulation.	Section.	Clause.
Certain questions regarding Lakhiraj Tenures, resumed previously to the acquisition of the Country by the British Government, to be decided by the Governor General in Council. Further questions to be referred to the Governor General in Council, ...	XIV.	III.	*Ninth.*
The present Regulation not to be applicable to lands, not exceeding ten beegahs, the produce of which is appropriated to religious or charitable purposes, ...		IV.	
Decisions passed before the promulgation of the present Regulations, in opposition to the principles declared, shall be open to revision in the Court wherein the case was decided, and to appeal. Proviso, ...		V.	
Modification of Section XXVI. Regulation II. 1819,		VI.	
MILITARY COURTS MARTIAL.			
European British subjects, being persons attached to the army, serving within certain limits, when apprehended by Magistrates, on charges of a Criminal nature, to be delivered over to the Commanding Officer, of the corps to which they may belong, ...	XX.	II.	*First.*
Magistrates, on application made to them by a Commanding Officer, to assist in the apprehension of all persons amenable to trial by Court Martial, when accused of Criminal offences, ...			*Second.*
Magistrates required to enforce processes for attendance of witnesses, &c. before Courts Martial, on application made to them, ...			*Third.*
Magistrates prohibited from enquiring into charges of a Criminal nature, preferred against British subjects, when attached to the army, within certain limits, and who may have already been tried by a Court Martial for the same. Proviso, for cases in which the Magistrate shall have duly ascertained, that the accused neither has been, nor will be tried by a Court Martial, ...			*Fourth.*
Magistrates will proceed, as heretofore, against British subjects, accused of Criminal Offences, when such persons are not attached to the army, or amenable to trial by Court Martial, ...			*Fifth.*
These Provisions not to apply to Troops in Fort William, or stationed at any other place, which is			

not

	Regulation.	Section.	Clause.
not situated above one hundred and twenty miles from the Presidency, ...			*Sixth.*
Provisions of Regulation XX. 1810, or other Regulations in force, declared not applicable to debts due from British subjects, attached to the army. Such debts and actions, provided for by Section LVII. of Stat. IV. Geo. IV. Cap. LXXXI.		III.	*First.*
Certain powers heretofore vested in the Magistrates, in the Cognizance of debts due by British subjects, declared no longer in force, ...			*Second.*
British subjects attached to the Army, still amenable to Local Courts, for debts exceeding four hundred rupees, ...			*Third.*
To what extent the Provisions of Regulation XX. 1810, Section XXII, will still remain in force, ...			*Fourth.*
Course to be followed in case of a witness refusing to be sworn before a Military Court. Enquiries to be made by the Magistrates and Joint Magistrates,		IV.	
NAZIM OF BENGAL.			
The Agent to the Governor General at Moorshedabad, may institute Suits in the Civil Courts on the part of the Nazim of Bengal, ...	XIX.	II.	
When Suits may be instituted against the Nazim, the notice is to be served on the Agent, who will defend them, ...		III.	
The Nazim and the Agent to the Government exempted from furnishing security and from process of attachment. Order and decrees of the Civil Courts, in such Suits, how to be executed, ...		IV.	
NATIVE OFFICERS.			
All Officers in the Judicial Department prohibited, under pain of dismissal from office, from employing their private servants in the execution of any public duty, ...	VIII.	II.	*First.*
And from employing any Public Officers on their establishment, not being Peons or other inferior servants, in the execution of any part of their private business or private trust, relating to their personal concerns, ...			*Second.*
Any Native Officers in the Judicial Department, who may be disqualified from public employment, under the prohibitions referred to in the			

preceding

	Regulation.	Section.	Clause.
preceding Section, to be immediately removed from office. Any neglect of the above requisition will subject the party to the same penalty as that specified in the preceding Section, ...		III.	
In all future nomination of Native Officers, the Judges and Magistrates are to state to the Provincial Courts, that the person so nominated, is not disqualified under the Provisions of the present Regulation. Duty of the Provincial Courts to enforce the due observance of the above Rules, and to report to the Courts of Sudder Dewanny and Nizamut Adawlut, any wilful infringement of them, ...		IV.	
The Court of Sudder Dewanny Adawlut and Boards, or other authority declared competent to punish, after due investigation, persons preferring unfounded and malicious charges against European public officers, ...		V.	*First.*
The Court of Sudder Dewanny Adawlut to issue the necessary instructions to the proper officer for the execution of orders passed under the above Clause. Similar orders of the Board of Revenue and Board of Trade, or other authority, how to be executed, ...			*Second.*
In what manner persons preferring on oath, false and malicious charges against European Public Officers, may be proceeded against, ...		VI.	
ORIGINAL SUITS AND APPEALS.			
Such part of the Second Clause of Section IV. Regulation XXVI 1814, as directs, that Petitions for review of Judgment shall be written on stampt paper of a prescribed value, declared applicable only to petitions presented within a certain period. After which period they are to be written on the stampt paper prescribed by Section XIII. Regulation I. 1814; but in case the petitioner be a Pauper, the Provisions of Regulation XXVIII. 1814, are declared applicable, ...	II.	II.	*First.*
Petitioners, whose petitions may be rejected, not entitled to receive back the amount of the prescribed stamp paper duty; but the Courts empowered, in special cases, to order a refund of any portion not exceeding three-fourths of it, ...			*Second.*

Courts

	Regulation.	Section.	Clause.
Courts empowered to impose a proportionate fine, in cases where petitions are found to be groundless or litigious, ...			*Third.*
Courts, after reviewing the case of a Petitioner, to pass such orders relative to the Stamp Duty paid by him, as may appear just and equitable, ...			*Fourth.*
Additional rules relative to the consideration of Petitions for review of Judgment, in regular original suits and appeals. Such Petitions, in all practicable cases, to be received and disposed of by the Judge who passed the decision, subject to the regular course of appeal. Whose restriction, however, declared applicable to cases, where the Judge, in passing a decision, may have exceeded the powers vested in him. Rule of proceeding to be observed by the Judges, in correcting such irregularities, ...		III.	
Clause Second, Section II. Regulation IX. 1819, rescinded, ...		IV.	*First.*
By what Rules the Sudder Dewanny Adawlut and Provincial Courts are hereafter to be guided in admitting Second or Special appeals, ...			*Second.*
The Provisions of Regulation XXVIII. 1814, extended to the admission of such Second or Special Appeals in formâ pauperis, as may be hereafter deemed admissible under the rules in force,		V.	
RECOGNIZANCES.			
Criminal Courts may, if they think proper, take Mochulkas, or Penal Recognizances, from persons convicted before them, to keep the peace during a certain period, ...	IV.	II.	*First.*
Security to be taken in addition to the Mochulkas, to keep the peace in cases of an aggravated nature. Nature of the Security Bond, ...			*Second.*
The Provisions of Sections V. VI. and VII. of Regulation VIII. 1818, to be applicable to all prisoners confined, on requisition of security, for keeping the peace under this Regulation, and to the sureties for such persons, ...		III.	
Magistrates and Joint Magistrates, not precluded by any Regulations from taking Mochulkas, or Penal Recognizances for the maintenance of the peace, although the parties may not have been			

convicted

	Regulation.	Section.	Clause.
convicted of any special offence. Proviso, that the amount of the Recognizance shall be proportionate to the condition in life of the person required to execute the same. Proviso. The proceedings in all such cases to be open to the revision of the Courts of Circuit, at the next ensuing Sessions, on presentation of any petition of complaint, ...	IV.	IV.	
Explanation of some of the Provisions of Regulation VIII. 1818, ...		V.	
REVENUE AUTHORITIES.			
The Provisions contained in Clause Sixth Section II. and thirty-three following Sections of Regulation VII. 1822, extended to all lands, not included within the limits of Estates, for which a permanent settlement has been concluded, ...	IX.	II.	*First.*
Such Provisions to be in force in all Estates, held under Khas management, ...			*Second.*
And to be held applicable to the Sunderbuns, the Hill lands of Bhaugulpore, and generally to all forests and wastes not specified in the settlement accounts, ...			*Third.*
The Governor General in Council may vest any Collector, &c. with the several powers specified in Section XX. Regulation VII. 1822, within such limits as may be considered advisable. In such cases, the several Provisions contained in Section XXI., to be considered applicable, ...		III.	
Rule of proceeding, when an arrear of Revenue on account of Mehals, not permanently assessed, may not be paid within one month, after it becomes due, and objections appear to a public sale. Existing engagements may be annulled, and the Mehal let in farm. If a higher Jumma be obtained, the excess to be appropriated to the liquidation of the arrear, and to the payment of Malikhana to the Malgoozar, ...		IV.	
Rules in modification of certain Sections of Regulation II. 1819, ...		V.	*First.*

Collectors,

	Regulation.	Section.	Clause.
Collectors, &c. empowered in making a settlement of lands to issue a notification, and to require the appearance before him of all persons holding Lands free of Assessment. Who are to continue their attendance from day to day, and to produce all Sunnuds, or other writings, under which they claim to hold the lands rent-free, or at a fixed Jumma, ...			*Second.*
Collectors, &c. engaged in the settlement of Mehals, empowered to have such lands measured without awaiting a previous reference to the Board of Revenue, ...			*Third.*
Collectors, upon commencing the settlement of Mehals, to give public notice by Ishtahar, one day previous to that on which it is intended to hold proceedings in any of the cases proposed to be investigated, ...			*Fourth.*
Collectors empowered to proceed exparte in investigations, should persons fail to attend after due notice given them. And with the sanction of the Board of Revenue, to resume such lands, if they appear to be held on an invalid title. Defaulters neglecting to appear, or to furnish the information required from them, not entitled to stay the resumption and assessment of their lands—Proviso, ...			*Fifth.*
Collectors, &c. engaged in making settlements, may either complete the investigation of claims, under the rules in force, or limit their proceedings to certain points. When investigations are postponed, Collectors to give the party due notice, previous to resuming the enquiry. And if the party should fail to attend, the case may be tried exparte, and the Collector may, with the sanction of the Board of Revenue, resume and assess the lands, ...			*Sixth.*
Collectors, &c. in investigating claims to Lakhiraj Lands, to be guided by the provisions of Section XV. &c. Regulation II. 1819, ...			*Seventh*
Collectors, &c. prohibited from resuming lands, even though the parties acknowledge such lands to be liable to assessment, without the sanction of the Board of Revenue. The Board in such			

cases

	Regulation.	Section.	Clause.
cases to direct the assessment of the lands, unless they are held by servants, in lieu of wages, which are not resumable without the sanction of Government, ...	IX.	V.	*Eighth.*
Specific provisions of Regulations, which the Collectors are to consider applicable to cases investigated by them, ...			*Ninth.*
Stampt paper for proceedings in cases originating with a Collector, declared to be unnecessary. Witnesses to be awarded all reasonable charges, which, as well as costs, are to be levied by the process in force, for the recovery of arrears of Revenue, ...			*Tenth.*
Specification of documents and particulars to be submitted to the Collector by persons claiming to hold lands free of assessment. Collector, in case the claim should involve only the interest of Government, to proceed in the investigation of it, giving eight days previous notice to the party. But if the claim be against an individual, singly or jointly with Government, the Collector is to serve the party with a notice containing a statement of the demand, and requiring his attendance with the necessary documents and evidence. Defendant's answer to be given within seven days. In such cases no further pleadings to be required, but Collectors may receive and record such subsidiary proceedings, as are calculated to elucidate the claims. After the receipt of the Defendant's answer, eight days notice to be given of the day on which it is proposed to bring it to a hearing. Proviso, in case an immediate decision shall be petitioned for, ...			*Eleventh.*
Collectors, &c. if of opinion that any tract of land belongs to Government, and that no individual has bonâ fide possession thereof, to require, by a notification, the attendance before him of all claimants within a given period. And on the appearance of such claimants, to proceed in the investigation of the claims in the mode prescribed by Regulation II, 1819. Proviso, in case no person has bonâ fide possession of the Land. Further Proviso, ...			*Twelfth.*

Power

	Regulation.	Section.	Clause.
Power reserved to the Governor General in Council to vest any Collector, &c. deputed to hold a local enquiry within the limits of any Mehal, with the same powers and authority in regard to Lands held free of assessment in all villages adjoining such Mehal, ...		VI.	
All Lands held free of assessment within villages and Mehals of which the settlement may be made under Regulation VII. 1822, to be particularized and fully recorded on the proceedings of the Collector, &c.		VII.	
Nothing contained in Regulation II. 1819, to be construed to affect specific enactments applicable to Benares and the Conquered Provinces, relative to illegal grants of land, made subsequent to the dates specified in the rules respectively. Lands now held free of assesment, that were formerly subject to the payment of Revenue, and have not since become exempted by competent authority, may be resumed and assessed by the Revenue authorities. Exception in cases where the Revenue may belong to a Zemeendar, &c. with whom a permanent settlement has been concluded, ...		VIII.	
The Rules relative to the abolition of the Sayer duties, and the provisions contained in Section XXXIX. Regulation IX. 1810, declared inapplicable to any item of Sewaee Collections or Cess levied by Malgoozars, &c. After the settlement of any Mehal shall have been made, the rules adverted to shall be applicable to all cesses not sanctioned in the mode specified in Section IX, Regulation VII. 1822, ...		IX.	
SETTLEMENT OF CHINSURAH.			
Settlement of Chinsurah, annexed to Zillah Hooghly,	XVIII.	II.	*First.*
The Dutch factories at Calcapore and at other places, annexed to the City and Zillah Jurisdictions, within which they are situated, ...			*Second.*
The administration of Civil and Criminal Justice, and the Collection of Revenue in the above settlement and territories, to be conducted under the Regulations in force, ...		III.	

Appeals

	Regulation.	Section.	Clause.
Appeals from decisions already passed at Chinsurah, and which have been referred to the Court at Batavia, but not decided there, how to be tried, ...	XVIII.	IV.	*First.*
Appeals to be received in certain other cases by the Court of Sudder Dewanny Adawlut, from decisions passed before the Cession, ...			*Second.*
The decisions of the Court in such cases, to be regulated by the laws and usages which governed the decisions of the European Court of Justice at Chinsurah, ...			*Third.*
Appeals referrible by the Court of Sudder Dewanny Adawlut, to the Provincial Court of Calcutta, for decision, ...			*Fourth.*
Rules for preferring Appeals in Civil Suits, determined after the promulgation of the present Regulation, ...			*Fifth.*
The Civil Courts prohibited from entertaining any claims or suits, which may have been formerly decided by competent authority, ...		V.	
Deeds regularly executed, to be received in evidence by the Civil Courts, ...		VI.	
The decision of Civil Suits regarding succession, inheritance, marriage, and special contract, to be governed by the laws and usages of the parties, ...		VII.	
Offences committed before the promulgation of the present Regulation, how to be punished, ...		VIII.	
Appointment of a Dutch Law Officer or Fiscal, and his duties, ...		IX.	*First.*
The Fiscal to furnish Translations of all Dutch papers, ...			*Second.*
Written opinion of the Fiscal, to be put on record,			*Third.*
The Fiscal to be also a Sudder Aumeen, with Civil and Criminal powers, ...			*Fourth.*
Parts of Regulation II. 1820, relative to Chinsurah, rescinded, ...		X.	
SUPPLIES FOR TROOPS.			
Zumeendars having been warned by the Collectors to provide supplies for Troops, or to provide boats, &c. for crossing Nullahs, shall, on proof of neglect or disobedience, be punishable by a fine, not exceeding 1,000 Sicca Rupees, ...	VI.	II.	
The Collector to make a summary enquiry in			

presence

	Regulation	Section.	Clause.
presence of the party charged with neglect or disobedience, or his representative. The Collector may hold *exparte* proceedings on failure of either of them to attend, ...		III.	
The amount of fine how to be levied. Appeal, to what authority preferrible, ...		IV.	
Petition of Appeal to be written on Stampt Paper, Limitation of appeal, ...		V.	
ZILLAH GORUCKPORE.			
The Zillah of Goruckpore, transferred from the jurisdiction of the Provincial Court of Appeal and Circuit for the division of Benares, and annexed to that of Patna, ...	XVII.	II.	
Modification of the existing order of succession for holding the Jail delivery at the stations of the several Magistrates and Joint Magistrates, ...		III.	
Rules to be observed for holding the Sessions at certain stations, viz.		IV.	
" Barasut, ...			*First.*
" Balasore and Khoorda, ...			*Second.*
" Malda, ...			*Third.*
" Monghyr, ...			*Fourth.*
" Shahjehanpore, ...			*Fifth.*
Rule for the commencement of the Circuits for the division of Calcutta, ...		V.	
The order for holding the Jail Deliveries, at the station of a Magistrate or Joint Magistrate, may be altered in future without the enactment of a Regulation, ...		VI.	

TITLES

OF THE

REGULATIONS

PASSED IN THE YEAR 1826.

REGULATION I.

A REGULATION *for augmenting the number of Judges of the Provincial Courts of Appeal and Circuit, as may, from time to time, appear necessary:—Passed by the Governor General in Council on the 2d of March* 1826.

REGULATION II.

A REGULATION *to extend, with certain exceptions and conditions, the existing settlement in the Provinces ceded by the Nuwab Vizier to the British Government, for a further period of Five years:—Passed by the Governor General in Council on the* 26*th April* 1826.

REGULATION III.

A REGULATION *for extending to Dewannee Prisoners some of the provisions in Regulation XIV.* 1816, *and for modifying the rule contained in Section III. Regulation IV.* 1816 *:—Passed by the Governor General in Council on the* 11*th May* 1826.

REGULATION IV.

REGULATION IV.

A REGULATION *for expediting the Proceedings of the Mofussil and Sudder Special Commissions, acting under the Provisions of Regulation I.* 1821 :—*Passed by the Governor General in Council on the* 22*d June* 1826.

REGULATION V.

A REGULATION *for annexing to the Zillah of Agrah, the Pergunnah of Goberdhun:—Passed by the Governor General in Council on the* 22*d June* 1826.

REGULATION VI.

A REGULATION *for constituting the Jurisdiction of the Joint Magistrate, stationed at Futtehpore, a distinct Zillah :—Passed by the Governor General in Council on the* 13*th July* 1826.

REGULATION VII.

A REGULATION *for transferring the Control of the Benares Mint, from the Board of Revenue in the Central Provinces, to a Local Committee :—Passed by the Governor General in Council on the* 13*th July* 1826.

REGULATION VIII.

A REGULATION *for modifying certain parts of Regulation VII.* 1824, *relative to Contraband Opium :—Passed by the Governor General in Council on the* 13*th July* 1826.

REGULATION IX.

REGULATION IX.

A REGULATION *for transferring the Superintendence of the Custom House at Patna, from the Board of Revenue in the Central Provinces, to the Board of Customs at the Presidency; and for vesting the latter Board with the control of the other Customs in the Central and Western Provinces, and in the Province of Cuttack, concurrently with the Central and Western Boards of Revenue and the Commissioner of Cuttack respectively:—Passed by the Governor General in Council on the* 13*th July* 1826.

REGULATION X.

A REGULATION *for removing doubts as to the application of Section L. Regulation X.* 1819 *to the district of Goruckpore: for prohibiting the Manufacture, within any of the districts of Bengal, Behar, and Orissa, of Noon-chye, or any description of Saline substance, used as a condiment with food, excepting on account of, or with the permission of Government: and for providing for the retail sale of Salt by Government Officers in certain cases:—Passed by the Governor General in Council on the* 13*th July* 1826.

REGULATION XI.

A REGULATION *for providing a succession of duly qualified Hindoo and Mahomedan Law Officers, in the several Courts of Justice; and for enacting an additional Rule for the Appointment of Vakeels in the Zillah and City Courts:—Passed by the Vice President in Council on the* 4*th August* 1826.

REGULATION XII.

A REGULATION *for raising and levying Stamp Duties within the Town of Calcutta:—Passed by the Vice President in Council on the* 14*th December* 1826.

Collector's Office, C. P. Bhagalpur

A. D. 1826. REGULATION I.

A REGULATION *for augmenting the Number of Judges of the Provincial Courts of Appeal and Circuit as may, from time to time, appear necessary:*—PASSED *by the Governor General in Council on the 2d of March* 1826, *corresponding with the* 20*th Phagoon* 1232 *Bengal Era; the* 8*th Phagoon* 1233 *Fusly; the* 21*st Phagoon* 1233 *Willaity; the* 9*th Phagoon* 1882 *Sumbut, and the* 22*d Rujub* 1241 *Higeree.*

PREAMBLE.

WHEREAS it is enacted by Clause 2d, Section II, Regulation V. of 1814, that the Provincial Courts for the Divisions of Calcutta, Dacca, Moorshedabad, Patna, Benares, and Bareilly, shall consist each of Four Judges, and whereas the heavy arrears of Civil business in some of those Courts render it expedient, that the number of Judges should be occasionally encreased, according as may, from time to time, appear necessary for the dispatch of business, as well in the Provincial Courts of Appeal, as in the Courts of Circuit; the following

following Rules have been enacted, to be in force from the date of this Regulation.

Parts of Clause Second, Section II, Regulation V. 1814, rescinded.

II. *First.* So much of Clause 2, Section II, Regulation V. of 1814, as limits the number of Judges of the Provincial Courts to Four, is hereby rescinded.

The number of Judges in each of the Provincial Courts of Appeal and Circuit to be augmented when deemed necessary.

Second. It shall be competent to the Governor General in Council, to appoint as many Judges in each of the Provincial Courts of Appeal, and Courts of Circuit, as may be deemed necessary for the due dispatch of the business of those Courts.

A. D. 1826. REGULATION II.

A REGULATION *to extend, with certain exceptions and conditions, the existing settlement in the Provinces ceded by the Nuwab Vizier to the British Government, for a further period of Five Years:—Passed by the Governor General in Council on the* 26*th April,* 1826, *corresponding with the* 15*th Bysack* 1238 *Bengal era; the* 4*th Bysack* 1233 *Fuslee; the* 16*th Bysack* 1233 *Willaity; the* 5*th Bysack* 1883 *Sumbut; and the* 18*th Rumzan* 1241 *Higeree.*

PREAMBLE.

WHEREAS, the existing settlement in the Provinces ceded by the Nuwab Vizier to the British Government, with the exception of certain districts and Mehals, will expire with the ensuing Fuslee Year 1234: And, Whereas, with certain exceptions, it appears to be expedient to extend the said settlement for a further term, in cases in which the

the settlement has been formed with Zemindars or other persons recorded as proprietors or possessors of a permanent interest in the Mehal, for which they have engaged, or as the representatives of such persons: And, Whereas, it appears also to be desirable to provide for the continuance of the engagements of Zemindars and other persons as aforesaid, subsequently to the expiration of the period, specifically fixed for the same, until a careful revision of the settlement can be completed: And, Whereas, it is desirable to make further provision for securing the improvement of the country; the following rules have been enacted, to be in force throughout the British Territories immediately subject to the Government of the Presidency of Fort William, from the date of their promulgation.

The existing settlement in the Ceded Provinces extended to a further period of Five Years.

II. *First.* The existing settlement in the Ceded Provinces, (with the exceptions, and subject to the provisions hereinafter stated) shall be extended to a further period of Five Years, viz. for the Years 1235 to 1239 Fuslee, inclusive, in cases in which it may have been concluded with Zemindars, Lumberdars, or other persons recorded as the proprietors or possessors of a permanent interest in the Mehal for which they may have engaged, or as the representatives of such persons.

Zemindars, if unwilling to continue their engagements for a further period of Five Years, to notify the same to the Collector within a certain period.

Second. If any Zemindars and other persons aforesaid, shall be unwilling to continue their engagements for a further period of Five Years, on the terms specified in this Regulation, they shall notify the same to the Collector, or other officer exercising the powers of the Collector, to whom they

they may be subject, on or before the 31st July next, corresponding with the 12th Sawun 1233, of the Fuslee era. And all Zemindars and other persons aforesaid, who shall not make a Notification to the effect, and within the period abovementioned, shall be held and are hereby declared to be responsible for the payment of the same Revenue for each of the Five Years subsequent to the settlement now in force, viz. for the Years 1235 to 1239 inclusive, as may be specified in their engagements for the Year 1234, Fuslee. And in such cases no alteration shall be made in the Jumma demandable by Government on account of the Mehals held by such persons (excepting as hereinafter excepted) until the expiration of the said period of Five Years.

On failure, to be responsible for the payment of Revenue for each of the Five Years.

Third. The above rules shall not apply to the districts of Goruckpore and Azimghur, for which special provision was made by Clause 4, Section 2, Regulation VII. 1822, nor shall they be held in any district to affect the terms of any engagements which may have been specifically entered into on account of any year or years subsequent to the general settlement now in force.

The foregoing rules not applicable to the districts of Goruckpore and Azimghur, nor to any engagements specifically entered into on account of any year or years subsequent to the settlement now in force.

Fourth. It shall be competent to Collectors and other officers exercising the powers of Collectors, subject to the orders of the Board of Revenue, to which they may be subordinate, to exclude from the operation of the preceding rules, any Mehal or Mehals, of which a revised settlement may have been made, or be about to be made, under the rules of Regulation VII. 1822, or in regard to which there may, in the judgment of these authorities, exist any special reasons for

Power vested in Collectors to exclude from the operation of the foregoing rules, any Mehals of which a revised settlement may have been made, or be about to be made under Regulation VII. 1822.

for effecting an early re-settlement of the same; and in the case of Mehals of the last description, it shall be competent to the Collectors, or other officers aforesaid, to make an immediate re-settlement of the same on the expiration of the existing leases; or to grant to the persons under engagements renewed leases for such further term (not exceeding Five Years) as the Board may direct. Provided, however, that in all cases, in which it may be determined to adopt special measures as above, in regard to any Mehal or Mehals, the Collector, or other officer aforesaid, shall give notice of such determination in writing to the person under engagements for the same on or before the 1st March, 1827. A Perwannah delivered to, or left at the usual residence of the Malgoozar, or a notification stuck up, under orders of the Collector, in any conspicuous place within the Mehal, shall be held to be sufficient notice for the above purpose.

Notice to be given by Collectors on such occasions to the Malgoozars.

III. Zemindars and other persons, as aforesaid, whose engagements shall be continued for a further period of Five Years, as above provided, as well as all other persons who may hereafter enter into engagements as proprietors, or as the representatives of proprietors, shall, after the expiration of the leases so extended or granted, hold the Mehals for which they may have engaged, or may hereafter engage; and shall continue to be subject to the payment of the same annual Jumma, as may be chargeable on account of the last year of their lease, until the Collector, or other officer exercising the powers of Collector, shall effect a detailed revision of the settlement in the mode prescribed by Regulation VII. 1822, or shall be otherwise specially authorized by Government

Zemindars and other persons who may be continued in their engagements for a further period of Five Years, shall be subject, after the expiration of the lease, to the payment of the same annual Jumma as may be chargeable on account of the last year of their lease.

ment to make a fresh assessment. Provided also, that no Zemindar or other Malgoozar, as aforesaid, shall be liable to pay, on account of any year, a higher Jumma than that payable under the above rule, unless he shall have been apprized of the Board's approval of the new assessment on or before the month of Jeth preceding. Nor shall any such Zemindar, or other Malgoozar, be ousted from the management of any Mehal for which he may be under engagements, without such notice, except by due course of law, on a decision in favor of the title of another party claiming the property of the same.

Proviso.

IV. With respect to estates which are, at present, let to farm, a settlement thereof shall be made on the expiration of the existing leases, for such a period as the Governor General in Council may direct: A preference shall be given to the Zemindars, or other persons possessing a permanent property in the Mehals, if willing to engage for the payment of the public Revenue, on reasonable terms. Provided also, that in cases wherein such Mehals may be let in farm, the term of the lease granted to the farmers shall not, excepting as hereinafter excepted, exceed Twelve Years. The above rules shall likewise be applicable to estates now held Khas; so in any case wherein the Zemindars and other proprietors may refuse to continue their existing engagements on equitable terms, it shall be competent to the Revenue Authorities to let the lands in farm, for such period, (with the restriction herein specified) as the Governor General in Council shall appoint, or to assume the direct management of them, and to retain them under Khas management, during the

What rules to be observed in the settlement of estates now let to farm, on the expiration of the existing leases.

Rules when Mehals may be let in farm.

The above rules to be applicable to estates now held Khas.

Zemindars liable to be excluded for wilfully reducing the cultivation of their lands.

the period aforesaid, or such shorter period as may be judged proper. Provided also, that in cases wherein it shall appear, that the Zemindars have wilfully reduced the cultivation of their lands, or otherwise deteriorated the Mehal, under their management, or in their occupancy, it shall be competent to the Revenue Authorities to exclude persons so offending, and to let the lands in farm, for a period of Fifteen Years: Leases for a like period may also be granted to Zemindars and farmers, in cases where, from special local circumstances, the measure may appear necessary, with a view to the reclaiming of waste, the constructions of works requisite for the extension of cultivation, or otherwise, for the improvement of the country.

A. D. 1826. REGULATION III.

A REGULATION *for extending to Dewannee Prisoners some of the provisions in Regulation XIV.* 1816, *and for modifying the rule contained in Section* 3, *Regulation IV.* 1816, *passed by the Governor General in Council on the* 11*th May*, 1826, *corresponding with the* 30*th Bysack* 1233 *Bengal era; the* 19*th Bysack* 1233 *Fusly; the* 31*st Bysack* 1233 *Willaity; the* 4*th Bysack* 1883 *Sumbut, and the* 3*d Rumzan* 1241 *Higeree.*

WHEREAS the rules contained in Regulation XIV. 1816, apply only to the Criminal Jails, and Whereas it is expedient to extend them in part to prisoners confined in the Civil Jails under process of the Civil Courts, and Whereas the occasional separation of the Offices of Judge and Magistrate, makes it necessary to modify the rule contained in Section 3, Regulation IV. 1816, the following rules are therefore PREAMBLE.

fore enacted to be in force, from the time of their promulgation, in all the Provinces immediately subject to the Presidency of Fort William.

Section 3, Regulation IV. 1816, modified.

II. In modification of Section 3, Regulation IV. 1816, the control of the Civil Jail of each Zillah and City Jurisdiction is hereby vested in the Magistrate of such District or City, and the Magistrate shall henceforth perform the duties described in the Section above cited.

Magistrate vested with power of Summary inquiry and punishment.

III. The Magistrate is hereby vested with authority to punish, on a Summary inquiry, the offences specified in the following Section of this Regulation.

Detail of Offences.

IV. *First.* Refractory behaviour by any Prisoner confined under process of the Civil Court, such as resistance to the jailor, guards, or other public officers in the regular discharge of their public functions; abusive language to any such officers, and generally any culpable behaviour towards them, which may not involve a serious act of criminality, such as cannot be duly punished by the Magistrate and should therefore be brought before the Court of Circuit.

Second. Any other instance of disorderly conduct by a prisoner, such as riot, insurrection, attempt to escape, conspiring with other prisoners with a view to escape, or for the purpose of insurrection, or for any other unlawful or prohibited purpose, abusing or assaulting another prisoner, and generally, any misconduct committed by a prisoner whilst in custody, which, under the Regulations in force, or from its

aggravated

aggravated nature, may exceed the competency of the Magistrate, and therefore be more properly cognizable by the Court of Circuit.

V. *First.* The powers vested in the Magistrate for the punishment of the offences specified in the preceding Section, which on a Summary inquiry may appear to have been committed by any of the prisoners confined under Civil process, are declared to be as follows; due regard being had to the nature of the offence, the condition of the prisoner, and every other just consideration applicable to the case. Extent and mode of punishment.

Second. The offences specified in the preceding Section shall be punishable by close confinement, or by a reduction of the prisoner's allowance, for any term not exceeding two months; the allowance to be in no case reduced below what may be consistent with the prisoner's support, and the difference between the prisoner's full allowance and the reduced rate to be carried to the credit of Government as a fine.

Third. The rule for conducting such Summary inquiries, and recording such sentences, and for their inspection by the Judge of Circuit, shall be the same with that prescribed with regard to Prisoners confined in the Criminal Jails, by Section 8, Regulation XIV. 1816. Record of inquiry and sentence and rule for the inspection thereof.

VI. Provided however, that nothing in this Regulation shall be construed to give the Magistrate any jurisdiction whatever over the question of a Civil Prisoner's liability to confinement, Proviso.

confinement, or title to release, with reference to the Civil process under which he may have been sent to Jail, or to preclude the Judge of the Civil Court, or his ministerial Officers, European or Native, authorized and deputed by him, from visiting the Civil Jail, or the Judge from summoning any Civil Prisoner to his Court, upon matters connected with the Civil process under which he is confined, or for other judicial purpose.

ERRATUM, in the Eighth line of Clause Second, Section IV, Regulation III, 1826.

Insert the word "not," between the word "may" and the word "exceed."

A. D. 1826. REGULATION IV.

A REGULATION *for expediting the Proceedings of the Mofussil and Sudder Special Commissions, acting under the Provisions of Regulation I.* 1821:—*Passed by the Governor General in Council on the 22d June,* 1826, *corresponding with the 9th Assar* 1233 *Bengal era; the 3d Assar* 1233 *Fusly; the 10th Assar* 1233 *Willaity; the 3d Assar* 1883 *Sumbut; and the 15th Zekaada* 1241 *Higeree.*

PREAMBLE.

WHEREAS it is expedient, with a view to the speedy accomplishment of the objects contemplated by the enactment of Regulation I. 1821, and Regulation I. 1823, that the Members of the Mofussil and Sudder Special Commissions, appointed under the Provisions of the first-mentioned Regulation, should be empowered to sit separately, and, under certain restrictions, singly, to try and decide the cases cognizable by the said Commissions: and further, that the Members of the

Mofussil

Mofussil Commission, should be authorized to refer cases of certain descriptions to arbitration: the following Rules have been enacted by the Governor General in Council, to be in force from the date of their promulgation.

A single Member competent to hold a sitting of the Mofussil Special Commission.

II. *First.* A single Member of the Mofussil Special Commission is hereby declared competent to hold a sitting of the said Commission, and to exercise all the Powers vested by the existing Regulations in the Commission collectively; subject only to such Restrictions as may be prescribed by Government, or by the Sudder Special Commission, with the sanction of Government.

Orders passed by a single Member of the Mofussil Commission to have the same force as orders passed by the Commission collectively.

Second. All orders and decisions passed by a single Member of the Mofussil Special Commission, under the foregoing Rule, shall have the same operation and effect as orders and decisions passed by the Commission, collectively; and shall be appealable only to the Sudder Special Commission.

The Mofussil Special Commissioners may refer certain descriptions of cases to arbitration.

III. In cases coming under the cognizance of the Mofussil Special Commission, in which the specific Interest of the several Putteedars or Parceners of an Estate or Mehal is disputed, and in which it may be difficult otherwise to adjust the differences of the claimants, the said Commission, or any Member of it, before whom such a case may be brought for trial, is hereby authorized, if the Parties shall consent, to refer the adjustment of the matters in dispute to the arbitration of three or more neighbouring Zumeendars, or other respectable

respectable persons: and to pass Judgment in conformity with their award.

A single Member competent to hold a sitting of the Sudder Special Commission.

IV. A single Member of the Sudder Special Commission is hereby declared competent to hold a sitting of that Commission, and to exercise all the powers vested therein by the existing Regulations; subject to the Provision, that no final order or Judgment reversing or altering an order or Judgment of the Mofussil Special Commission, or of a Member of it, shall be passed, except by the concurrent decision of two Members of the Sudder Special Commission.

A. D. 1826. REGULATION V.

A REGULATION *for annexing to the Zillah of Agra, the Pergunnah of Goberdhun:— Passed by the Governor General in Council, on the 22d June 1826, corresponding with the 9th Assar 1233 Bengal era; the 3d Assar 1233 Fusly; the 10th Assar 1233 Willaity; the 3d Assar 1883 Sumbut; and the 15th Ze-kaddu 1241 Higeree.*

PREAMBLE.

WHEREAS the Pergunnah of Goberdhun forming part of the Territories situated on the right bank of the Jumna, which were Ceded to the Honorable the East India Company, by the Treaty concluded with Doulut Rao Sindiah, on the 30th November, 1803, and which Pergunnah was subsequently granted free of Assessment to Koour Luchmun Singh, a younger Son of Rajah Runjeet Singh, of Bhurtpoor, has been resumed in consequence of the death of the said Koour Luchmun Singh; and whereas it has been judged advisable to annex the said Pergunnah to the

the District of Agra, the following Rules have been enacted, to be in force from the period of their Promulgation.

The Pergunnah of Goberdhun annexed to Agra, and the existing Laws and Regulations extended to that Pergunnah subject to the following Provisions.

II. The Pergunnah of Goberdhun shall be annexed to the District of Agra, and the Laws and Regulations Established for the internal administration of that District are hereby declared to be in force and effect, in Pergunnah Goberdhun, from and after the Promulgation of this Regulation, subject, however, to the Provisions contained in the following Sections.

Civil Courts Prohibited from taking cognizance of Suits if the cause of action shall have arisen previously to the 25th January, 1814.

III. The Courts of Civil Judicature shall not be deemed competent to take cognizance of Civil Claims in Pergunnah Goberdhun, the cause of action in which may have originated previously to the 25th January, 1814, being a period of Twelve Years, antecedent to the date on which that Pergunnah was resumed.

Criminal Courts Prohibited from taking cognizance of Offences committed previously to the 25th January 1826.

IV. The Courts of Criminal Judicature are hereby prohibited from taking cognizance of any Crime or Offence committed in any part of the said Pergunnah, previously to the 25th January 1826, the date on which that Pergunnah was resumed.

Stamp Regulations not to be enforced during a period of one year.

V. The Stamp Regulations shall not be enforced within the Pergunnah of Goberdhun, during a period of one year, from the 25th January, 1826.

Power reserved to the Governor General in Council, of fixing the periods for the for-

VI. The Governor General in Council, reserves to himself the power of fixing the periods for which the Settlement of

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of the Land Revenue, shall from time to time be formed in the said Pergunnah, according as local circumstances may appear to require, adhering, however, as nearly as practicable, to the principles established for the Settlement generally of the Lands in the Territories ordinarily denominated the Ceded and Conquered Provinces.

mation of the settlement of the Land Revenue.

A. D. 1826. REGULATION VI.

A REGULATION *for constituting the jurisdiction of the Joint Magistrate, stationed at Futtehpore, a distinct Zillah:—Passed by the Governor General in Council on the* 13*th July,* 1826, *corresponding with the* 30*th Assar* 1233 *Bengal Era; the* 24*th Assar* 1233 *Fusly; the* 31*st Assar* 1233 *Willaity; the* 9*th Sawun* 1883 *Sumbut, and the* 6*th Zehijja* 1241 *Higeree.*

PREAMBLE.

WHEREAS it is deemed essential, with a view to the more efficient administration of Civil and Criminal Justice, as well as to ensure the more punctual realization of the Land Revenue, that the tract of Country, comprising portions of the Districts of Cawnpore and Allahabad, now under the authority of the Joint Magistrate stationed at Futtehpore, should be constituted a separate Zillah, with such modification of limits as may hereafter appear to be advisable, the following Rules have been enacted to be in force from the 1st of September next.

II. *First.*

What Police Thannahs of Allahabad and Cawnpore to constitute a distinct Civil and Criminal Jurisdiction to be denominated the Zillah of Futtehpore.

II. *First.* From and after the date specified in the preamble to this Regulation, the tract of Country forming portions of the Districts of Allahabad and Cawnpore, comprised in the following Police Thannah Divisions, viz. in the Thannahs of

Currah,
Hutgong,
Hussooah,
Futtehpore,
Ghazeepore,
and
Kishunpore,
} In the District of Allahabad,

And in the Thannahs of

Bindkee,
Khujooa,
Corah Juhanabad,
and
Amowly,
} In the District of Cawnpore,

shall constitute a distinct Civil and Criminal Jurisdiction, to be denominated the Zillah of Futtehpore.

Proviso.

Second. Provided however, that it shall be competent to the Governor General in Council, by an Order in Council, to make any alteration in the limits of the said Zillah, or of any of the Zillahs adjacent, which may at any time be deemed necessary or expedient.

Futtehpore Zillah to be subject to the Provincial Court of Benares.

III. The Zillah of Futtehpore shall be subject to the Jurisdiction of the Provincial Court of Appeal, and Court of Circuit, for the Division of Benares.

A. D. 1826. REGULATION VII.

A REGULATION *for transferring the Control of the Benares Mint, from the Board of Revenue in the Central Provinces, to a Local Committee:—Passed by the Governor General in Council on the* 13*th July,* 1826, *corresponding with the* 30*th Assar* 1233 *Bengal Era; the* 24*th Assar* 1233 *Fusly; the* 31*st Assar* 1233 *Willaity; the* 9*th Sawun* 1883 *Sumbut, and the* 6*th Zehijja* 1241 *Higeree.*

PREAMBLE.

WHEREAS it will conduce to the public convenience, to vest the Superintendence of the Benares Mint in a Local Committee, according to the principle already acted upon in regard to the Calcutta Mint, the following rules have been enacted to be in force, from the date of their promulgation.

The Benares Mint to be subject to the authority of a Local Committee.

II. Sections XV and XVII, Regulation II. 1812, and so much of any other Regulation in force, as vests the Board of Revenue in the Central Provinces, with the Superintendence of the Benares Mint, are hereby rescinded: The

Mint

Mint and Assay Masters of the said Mint, and the subordinate Officers, shall be subject to the authority of a Local Committee, consisting of such Officers as the Governor General in Council may, from time to time, appoint, and the said Committee shall be guided by such rules as may be prescribed by Government.

A. D. 1826. REGULATION VIII.

A REGULATION *for modifying certain parts of Regulation VII.* 1824, *relative to contraband Opium:—Passed by the Governor General in Council on the* 13*th July*, 1826, *corresponding with the* 30*th Assar* 1233 *Bengal Era; the* 24*th Assar* 1233 *Fusly; the* 31*st Assar* 1233 *Willaity; the* 9*th Sawun* 1883 *Sumbut, and the* 6*th Zehijja* 1241 *Higeree.*

PREAMBLE.

WHEREAS it appears to be advisable to modify certain parts of Regulation VII. 1824, relative to Contraband Opium; the following Rules have been enacted to be in force from the date of their promulgation.

Section XX, Regulation VII, 1824, modified.

II. In modification of Section XX, Regulation VII, 1824, it is hereby declared and ordered, that by "Marketable Opium," is to be understood, Opium having not more than one quarter of foreign matter in it; and that by "Inferior Opium" is to be understood Opium having not more than one half of foreign matter in it, and that all Opium adulterated with

with more than one half of foreign matter, shall be considered useless.

Section XXI, of the above Regulation, relative to Rewards payable to persons concerned in the Seizure of Opium, modified.

III. In modification of the Rules, contained in Section XXI, Regulation VII, 1824, relative to the Rewards payable to Persons concerned in the Seizure of Opium, it is hereby provided, that it shall be competent to the Governor General in Council, by an Order in Council, to discontinue the payment of the said Rewards to any Officers of Government whatever, and to modify the distribution of the Rewards receivable by such Officers in the same manner as is already provided by Clause First, of the said Section and Regulation, in regard to Covenanted Servants of the Company.

A. D. 1826. REGULATION IX.

A REGULATION *for transferring the Superintendence of the Custom House at Patna, from the Board of Revenue in the Central Provinces, to the Board of Customs at the Presidency; and for vesting the latter Board with the Control of the other Customs in the Central and Western Provinces, and in the Province of Cuttack concurrently with the Central and Western Boards of Revenue and the Commissioner of Cuttack respectively:—Passed by the Governor General in Council on the* 13*th July,* 1826, *corresponding with the* 30*th Assar* 1233 *Bengal Era; the* 24*th Assar* 1233 *Fusly; the* 31*st Assar* 1233 *Willaity; the* 9*th Sawun* 1883 *Sumbut, and the* 6*th Zehijja* 1241 *Higeree.*

WHEREAS the Sudder Station of the Board of Revenue, for the Central Provinces, has been removed from Patna PREAMBLE.

Patná to Allahabad, and the Charge of the Custom House established at the former Station, has been vested in the Superintendent of the Salt Chokies in Behar, which Officer is subordinate to the Board of Customs, Salt and Opium, at the Presidency; and other circumstances appear to render it expedient to transfer to the last mentioned Board, the Superintendence of the said Custom House, with the same powers and authority in regard to the Customs and Town Duties, as are now possessed and exercised by the Central Board of Revenue: And whereas, with the view of establishing an uniform and efficient system of audit, it appears further to be expedient to modify the system according to which the operations of the several other Custom Houses in the Central and Western Provinces, and in Cuttack, touching the Collection of the Custom Duties, are now superintended and controlled, by vesting in the Board of Customs at the Presidency authority to superintend and regulate the management of the several Custom Houses aforesaid, in concurrence with the Boards and Commissioner to whom the Collectors in the said Provinces are now subject, the following Rules have been enacted, to be in force from the date of their promulgation.

Parts of Regulations IX. and X. 1810, Regulation III. 1822, and other Regulations modified.

II. So much of Regulations IX. and X. 1810, Regulation III. 1822, and of any other Regulation in force as vests the Boards of Revenue in the Central and Western Provinces, and the Commissioner of Cuttack, with the control over the Custom Houses in the said Provinces, is hereby declared subject to the following modifications.

III. The

III. The Board of Revenue in the Central Provinces shall, from the date of the promulgation of this Regulation, cease to exercise any authority over the Collector of Customs and Town Duties at Patna; and the Board of Customs at the Presidency shall be vested with the duties, powers, and authority now possessed and exercised by the Central Board, in regard to the said Custom House, and to all persons and things chargeable with Customs or Town Duties at that place, or subject to the authority, or liable to the process of the Collector thereof.

The Collectors of Customs and Town Duties at Patna, to be subject in future to the authority of the Board of Customs at the Presidency.

IV. The Collectors and Deputy Collectors of Customs at Ghazeepore, Benares, Mirzapore, Allahabad, Cawnpore, Furruckabad, Bareilly, Meerut, Agra, and Balasore, shall be subject to the Board of Customs at the Presidency, in regard to the rates of duty to be levied, the valuation of Goods, the issuing and disposing of Rowannahs, and Passes, the appointment, dismissal, and punishment of their Native Officers, the preparation of Reports, Registers, and Accounts, the Establishment of Chokies, the sale of goods deposited or confiscated, and generally in regard to all matters relating to the Collection of the Government Customs (excepting as hereinafter excepted,) in the same manner as they are now subject respectively to the authority of the Central and Western Boards of Revenue, and the Commissioner of Cuttack: And the said Boards and Commissioner shall not interfere with the Proceedings of the Collectors in regard to the said matters, unless specially authorized to do so by the Governor General in Council. If any doubt shall arise in regard to the intent and meaning of this rule,—it shall be competent

The Collectors and Deputy Collectors of Customs, at Ghazeepore, Benares, Mirzapore, Allahabad, Cawnpore, Furruckabad, Bareilly, Meerut, Agra, and Balasore, to be in future subject to the authority of the Board of Customs at the Presidency.

competent to the Governor General in Council by an Order in Council to determine the point; any thing in the existing Regulations to the contrary notwithstanding: and generally to decide, with the exception hereinafter stated, under what authority the Collectors and Deputy Collectors aforesaid, shall act in the discharge of any part of their official duty.

What powers shall continue to be exercised by the Central and Western Boards of Revenue, and Commissioner of Cuttack.

V. Provided, however, that the Central and Western Boards of Revenue, and Commissioner of Cuttack, shall continue to possess and exercise the same powers and authority as now belong to them, in regard to the confiscation of Goods, the levying of double duty, and other penalties prescribed for acts done by individuals in violation of the Custom Law, and the remission of the same: and all cases relative to such confiscations and penalties shall be reported by the Officers, as above-mentioned, to the said Boards and Commissioner respectively as heretofore; and shall be dealt with and decided by them agreeably to the Regulations in force.

A. D. 1826. REGULATION X.

A REGULATION *for removing doubts as to the application of Section L, Regulation X,* 1819 *to the district of Goruckpore: for prohibiting the Manufacture, within any of the districts of Bengal, Behar, and Orissa of Noon-chye, or any description of Saline substance, used as a condiment with food, excepting on account of, or with the permission of Government: and for providing for the retail Sale of Salt by Government Officers in certain cases.—Passed by the Governor General in Council on the* 13*th July* 1826, *corresponding with the* 30*th Assar* 1233 *Bengal Era; the* 24*th Assar* 1233 *Fusly; the* 31*st Assar* 1233 *Willaity; the* 9*th Sawun* 1883 *Sumbut; and the* 6*th Zehijja* 1241 *Higeree.*

WHEREAS doubts have arisen as to application of the rule contained in Section L, Regulation X, 1819, to the district PREAMBLE.

district of Goruckpore, which it is desirable to remove; and whereas it appears that the manufacture of a saline substance denominated Noon-chye, being the ashes of straw, burnt after having been steeped in salt water, and the preparation therefrom of condimentary salt is carried on in the district of Chittagong to a great extent contrary to the obvious intent and meaning of the Law; and whereas it is the intention of Government to authorize the retail sale of salt at a cheap rate in the said district, and in certain other parts of the country, where such a measure appears to be required for the relief of the people, according to a system already established in the province of Cuttack; the following rules have been enacted to be in force from the date of their promulgation.

The Provisions of Section L, Regulation X, 1819, to be applicable to the district of Goruckpore, and to any other districts adjoining the Province of Behar.

II. It is hereby declared and enacted that, the provisions of Section L, Regulation X, 1819, which prohibit all persons from importing, transporting, or storing within the distance of eight coss from the limits of the districts of Shahabad and Sarun, any of the salt described in the preceding Section of the said Regulation in quantities exceeding one maund, and which render all salt imported, transported, or stored in violation of the said prohibition liable to seizure and forfeiture, are and shall be considered applicable to the importation, transportation, or storing any quantity of the salt therein referred to, exceeding one maund within the distance of eight coss from the limits of the district of Goruckpore, or of any other district belonging to this Presidency, and adjoining the province of Behar.

III.

III. It is hereby declared and enacted that the manufacture within the provinces of Bengal, Behar, and Orissa of Noon-chye or any description of saline substance used as a condiment with food (excepting on account of Government or with its sanction) is and shall be considered to be a violation of the rule contained in Section XXX, Regulation X, 1819, any place prepared for the reception or evaporation of salt water, or the collection of earth or other matter impregnated with salt, for the purpose of manufacturing salt or any saline substance as aforesaid, shall be held to constitute a salt work, within the meaning of Section XXXI and the four subsequent Sections of the said Regulation. And the manufacture, importation, transportation, possession, sale, and purchase of any saline substance, as aforesaid, shall be, and be held liable to the same rules, restrictions, and penalties as attach to manufacture, importation, transportation, possession, sale or purchase of ordinary alimentary salt.

The manufacture of Noon-chye or any other description of saline substance in the provinces of Bengal Behar and Orissa shall be considered to be a violation of the rules contained in Section XXX, Regulation X, 1819.

What place shall be held to constitute salt works.

IV. Where from local circumstances, or other sufficient cause, it shall appear to Government to be proper to direct the retail sale of salt within any particular district or tract of country, and consequently to modify the rules generally applicable to that branch of the public resources, it shall be competent to the Governor General in Council by an order in Council, to direct the said rules, or any part of them to be suspended within the district or tract of country in question, for such period as may from time to time appear proper, and in lieu thereof to prescribe for the same such other rules relative to transportation, sale, purchase, and possession of salt, and for the issue and disposal of Rowannahs,

Retail sale of salt allowed under certain circumstances.

Special rules to be prescribed in such cases.

Rowannahs, and passes as may from time to time appear to be expedient. Provided, however, that the penalties attaching to the violation of the rules so specially prescribed shall not in any case exceed those, which would attach under the general regulations to the illicit transportation, sale, purchase or possession of the like quantity of salt. In all such cases, the special rules prescribed shall be published in the current language of the district, and shall be affixed, at the Cutcherry of the Judge, Magistrate, and Collector of the district, as well as at the office of the Local Salt Agent and Superintendent of Chokies, and at the several Police Thannahs, and Salt Chokies within the tract in question.

Such rules to be published.

A. D. 1826. REGULATION XI.

A REGULATION *for providing a succession of duly qualified Hindoo and Mahomedan Law Officers, in the several Courts of Justice; and for enacting an additional Rule for the Appointment of Vakeels in the Zillah and City Courts.—Passed by the Vice-President in Council on the 4th August* 1826, *corresponding with the* 21*st Sawun* 1233 *Bengal Era; the* 16*th Sawun* 1233 *Fusly; the* 22*d Sawun* 1233 *Willaity; the* 1*st Sawun* 1883 *Sumbut; and the* 28*th Zehijja* 1241 *Higeree.*

PREAMBLE.

WHEREAS the power formerly exercised by the Governor General in Council of confirming the Appointment of the Law Officers of the Provincial, Zillah, and City Courts was transferred to the Court of Sudder Dewanny Adawlut by Section IV. Regulation VIII. 1809; and considerations which are connected with measures in progress under the immediate control of Government for promoting

promoting education amongst the Natives of these Provinces, and for securing the Services of the most able and learned Persons for those high Offices, have suggested the expediency of altering the Rules now in force for the nomination and Appointment of the Law Officers in the several Courts of Justice, and of vesting the confirmation of all such Appointments in the Executive Government; and whereas it is deemed advisable to provide by a specific enactment, in addition to the Rules contained in Section III. Regulation XXVII. 1814, for the admission of qualified Students at the Public Colleges under this Presidency to hold the Office of Vakeel in any of the Zillah and City Courts; the following Rules have been passed by the Vice-President in Council to be in force from the date of their promulgation throughout the whole of the Provinces immediately subject to the Presidency of Fort William.

Regulations V. 1804, VIII 1809, and XVIII. 1817, modified.

II. The Rules contained in Regulations V. 1804, VIII. 1809, and XVIII. 1817, or in any other Regulation now in force, relative to the nomination and appointment of the Law Officers of the several Courts of Justice, are hereby declared subject to the modifications contained in the present Regulation; Provided, however, that nothing in this Regulation shall be construed to alter or affect the power vested in the Court of Sudder Dewanny Adawlut by Section IV. Regulation VIII. 1809, of confirming the removal of the Law Officers of the Provincial, Zillah and City Courts; or to alter any part of the Rules now in force respecting the removal of a Law Officer attached to any of those Courts.

Proviso.

III. The

III. The Appointment and removal of the Law Officers of the Sudder Dewanny Adawlut and Nizamut Adawlut shall be reported as heretofore for the previous sanction of the Governor General in Council; subject to the further provisions contained in the present Regulation.

The Law Officers of the Sudder Dewanny Adawlut and Nizamut Adawlut how to be appointed and removed.

IV. *First.* The Law Officers of the Provincial Courts of Appeal and Circuit, and of the Zillah and City Courts, shall hereafter be appointed by the Governor General in Council.

The Law Officers of the Provincial, Zillah and City Courts, to be hereafter appointed by the Governor General in Council.

Second. Whenever a Law Officer may be removed from his station, or whenever a vacancy may occur in the office of Law Officer in any of the Courts of Justice, from death, resignation or otherwise, the Judge or Judges of the Court, in which the removal or vacancy may have occurred, shall nominate for the approbation of the Governor General in Council, a person duly qualified to succeed to the station so vacated, and shall at the same time report fully the past employments, character, qualifications and age of the proposed successor, and likewise whether he has obtained the prescribed certificate of qualifications hereafter noticed; The Governor General in Council, on consideration of such Report, or after calling for any further information that may appear necessary, will either confirm the person so nominated to fill the vacated office; or will issue Orders for his examination; or appoint any other person whom he may deem better qualified for the office.

Rule to be observed on the removal, death, or resignation of a Law Officer.

V. *First.*

No person to be appointed a Law Officer, who shall not have obtained a Certificate of qualification.

V. *First.* After the Promulgation of this Regulation no person shall be appointed to be a Hindoo or Mahomedan Law Officer in any of the Courts of Justice under this Presidency who shall not have obtained a Certificate of qualification (in one of the forms, A. or B. contained in the Appendix) after having undergone an Examination, to be conducted in the manner hereafter noticed, by a Committee, consisting of such persons as the Governor General in Council may, from time to time, be pleased to appoint for that purpose.

Annual Examination of candidates for the situation of Law Officer to be held before a Committee.

Second. Public examinations shall be held before the Committee early in each year, or at such periods as may be fixed by order of the Governor General in Council, of all persons who may offer themselves as Candidates for the Office of Law Officer, the result of which shall be reported to Government, and so many of the Candidates as shall be found upon examination to be eminently qualified for the office of Hindoo or Mahomedan Law Officer, shall receive from the Committee a Certificate of qualification in the form A. contained in the Appendix to this Regulation.

Persons who may not have previously obtained a Certificate of qualification how to be examined.

Third. Whenever any person who may be nominated to the office of Law Officer by the Sudder Dewanny and Nizamut Adawlut, by the Provincial Court of Appeal and Circuit, or by the Zillah or City Judge, shall not have previously obtained a certificate of qualification, the Governor General in Council will issue such orders as may be deemed proper for the examination of such person; either before the Committee at the Presidency; or by means of written interrogatories

interrogatories to be transmitted by the Committee to the Judge or Judges of the Court in which the vacancy of Law Officer may have occurred, in whose presence the answers to such interrogatories shall be written by the person nominated for the vacant office; or by such other mode, as under the direction of the Committee at the Presidency may be calculated to ensure a fair and impartial examination of the Candidate.

The Committee to report the result of their Examinations and grant Certificates to Candidates who may be duly qualified.

Fourth. The Committee at the Presidency shall report the result of the examination, prescribed in the foregoing clause, for the information of Government; and in the event of the Candidate being declared duly qualified for the office of Hindoo or Mahomedan Law Officer, (as the case may be) such Candidate shall receive from the Committee, a Certificate of qualification according to one of the forms A. or B. with reference to the mode in which the examination of the Candidate shall have been conducted.

A Native Student in any of the Public Institutions under this Presidency who shall have received a Certificate of qualification, shall be admitted to practise as a Vakeel in any of the Zillah and City Courts on application.

VI. In addition to the Rules contained in Section III. Regulation XXVII. 1814, for the nomination and appointment of Vakeels in the several Zillah or City Courts, it is hereby enacted, that, after the promulgation of this Regulation, any Native Student who may have been educated, or have received instruction at one of the Public Institutions under this Presidency, and who shall have received a Certificate of adequate proficiency in the Laws and Regulations, and of good character, from the Superintending Committee of any of the Public Colleges supported

supported by Government, according to the form C. in the Appendix to this Regulation, shall, on making application to any of the Courts abovementioned, be entitled to receive a Sunnud of Appointment to practise as a Vakeel in the Zillah or City Court to which the application may be made, unless the number of Vakeels already attached to such Court (including those allotted to the Courts of the Register and Sudder Ameens in pursuance of Section XVI. Regulation XXVII. 1814,) shall render the immediate admission of any additional Vakeel, or Vakeels, highly inconvenient and objectionable, in which case the admission of the person so applying may be postponed by order of the Judge of the Court, so long as shall appear necessary. Provided always, that every person, previously to his being admitted to practise as a Vakeel, shall take and subscribe before the said Court, the oath, or solemn declaration in lieu thereof, required by Clause I. Section V. Regulation XXVII. 1814, and shall be held liable for misconduct to be deprived of the Sunnud granted to him by the Court, and to all the penalties to which the Vakeels of the Courts of Justice are declared subject, by the Regulations which have been, or may be enacted.

Unless strong objections exist to his admission.

Proviso.

APPENDIX A.

Certificate of a Hindoo or Mahomedan Law Officer.

(Seal of the Committee)

We hereby Certify, that at an Examination held at the Presidency of Fort William on the

by the Committee appointed under the provisions of Regulation XI. 1826, A. B. was found and declared to be qualified, by his eminent knowledge of the Hindoo (or Mahomedan) Law, to hold the office of Hindoo (or Mahomedan) Law Officer, in any of the established Courts of Judicature.

(To be signed by the President, and not less than Two Members of the Committee of Examination.)

This Certificate has been granted to the said A. B. under the Seal of the Committee this———— day of———— in the Year ———— corresponding with the (Mahomedan or Hindoo date.)

C. D.

Secretary to the Committee.

FORM

B.

FORM of Certificate of a Hindoo (or Mahomedan) Law Officer when examined at a special examination.

(Seal of the Committee.)

We hereby Certify, that the Committee of Examination at the Presidency of Fort William, having duly considered the proceedings held on the Examination of A. B., conducted under the provisions of Clause III. Section V. Regulation XI. 1826, do consider the said A. B. to be duly qualified, by his knowledge of Hindoo (or Mahomedan) Law, to hold the Office of Hindoo (or Mahomedan) Law Officer in any of the established Courts of Judicature.

(To be Signed by the President, and not less than Two Members of the Committee of Examination.)

This Certificate has been granted to the said A. B. under the seal of the Committee, this————day of———— in the Year————, corresponding with the (Mahomedan or Hindoo date to be here inserted.)

C. D.

Secretary to the Committee.

CERTIFICATE

C.

CERTIFICATE of a Student in any of the Colleges established or supported by Government, who may be declared qualified to be admitted as a Vakeel in any of the Zillah or City Courts.

(Seal of the College.)

We hereby Certify, that at an Examination of the Students in the (Hindoo or Mahomedan) College at ———————— held on the ————, A. B. was found qualified, by his proficiency in the Hindoo (or Mahomedan) Law, and in the Regulations of the British Government, to discharge the duties of Pleader in any of the Zillah or City Courts.

We further Certify, that the said A. B. is reported by the Officers of the College to be of good character, and to have conducted himself with propriety during the time he has been attached to the College.

(To be signed by the Examiners.)

This Certificate has been granted to the said A. B under the Seal of the College this ———————— day of ———————— in the Year ———————— ———— corresponding with (the Mahomedan or Hindoo date.)

C. D.

Secretary to the College.

A. D. 1826. REGULATION XII.

A REGULATION *for raising and levying Stamp Duties within the Town of Calcutta.—Passed by the Vice President in Council on the* 14*th December*, 1826, *corresponding with the* 30*th Aughun* 1233 *Bengal Era; the* 30*th Aughun* 1234 *Fusly; the* 1*st Poose* 1234 *Willaity; the* 15*th Aughun* 1883 *Sumbut; and the* 13*th Jumadee-ul-uwal* 1242 *Higeree.*

WHEREAS Stamp Duties have long been raised, levied, and paid within the Provinces subordinate to this Presidency, and whereas it appears expedient, with a view to the improvement of the Revenue derived from the said Duties, and is otherwise just and proper, that a similar Tax should be levied and paid within the Town of Calcutta, the Vice-President in Council, under the powers vested in him by virtue of the XCVIII. and XCIX. Sections, of the Act 53 George III. Cap. CLV. and with the sanction of the Court of Directors of the United Company of Preamble.

Merchants

Merchants of England trading to the East Indies, and with the approbation of the Board of Commissioners for the affairs of India, has enacted the following Rules to be in force within the said Town of Calcutta, from and after the 1st day of May next ensuing.

Stamp duties to be levied and paid within the City of Calcutta.

II. A Stamp Duty shall be levied, raised, and paid within the Precincts of the City of Calcutta, upon the deeds, instruments, and writings, and according to the rates specified in the Schedule annexed to this Regulation, from and after the date specified in the Preamble of this Regulation, and no instrument, deed, or writing of the descriptions specified in the said Schedule (saving of course what may be therein declared to be exempted) shall be written or printed on any vellum, parchment, paper, tar-leaf, or other material applicable to such purpose, except the same shall have been duly stamped according to the rules of this Regulation.

The collection of the duty to be under the control of the Board of Revenue, or other Commission appointed by Government.

III. The duty hereby directed to be levied, raised, and paid in Calcutta, shall be under the care and management of the Board of Revenue at the Presidency, or of such other Commissioner or Commissioners as the Governor General in Council may, from time to time, appoint; and on notice of such appointment being given in the Government Gazette, the Commissioner or Commissioners shall possess and exercise all the powers and authorities relative to Stamps vested in the Board of Revenue by this or any other Regulation which may hereafter be enacted.

Stamp Office to be established under charge of Superintendent of Stamps.

IV. A Stamp Office, at which Stamps of the several descriptions

descriptions provided for by this Regulation, shall be prepared and kept in store, shall be established at such house, building, or place within the City of Calcutta, as the Governor General in Council may deem suitable for the purpose, and the same shall be under the charge of an Officer to be denominated Superintendent of Stamps in Calcutta, who shall, in all matters connected with the execution and due enforcement of this Regulation, be subject to the Orders of the Board of Revenue. The Superintendent shall keep an exact account of all Stamps impressed or manufactured by the Government Officers, as well as of all issues from the Depôt, and of the quantity of stamped paper, vellum or parchment of each description remaining in store: He shall likewise prepare and submit to the Board of Revenue, such periodical reports and statements, as may be required by that authority.

Duties of Superintendent.

V. *First.* For every sum charged, or purported to be charged as stamp duty on any vellum, parchment, paper, or other material, two stamps shall be impressed on such material, each of which shall specify in the English, Persian, and Bengallee character, the amount of the sum charged—one of the said stamps shall be affixed at the Stamp Office, and shall bear besides the value as above, the words "Stamp Office," in the English character, with any further device or legend which the Board of Revenue may see fit to direct. The other impression shall be a counter-stamp, to be impressed at the General Treasury, bearing similarly along with the amount of duty levied, the words "General Treasury," in English. No stamped paper shall be used for any purpose, for which the same may be required by this Regulation, except such as may bear both impressions as above directed,

Stamps how to be impressed and where.

directed, together with the signature of the vender, distributor, or other authorized person, as hereinafter prescribed.

Board of Revenue to cause proper Stamps to be provided.

Second. It shall be the duty of the Board of Revenue, or other authority, exercising the power of that Board, to provide or cause to be provided, proper and sufficient stamps, or dies for expressing and denoting the several duties and rates specified in the Schedule annexed to this Regulation, and it shall be competent to the Board of Revenue, or other authority aforesaid, if they shall judge it expedient to direct the employment of two or more stamps, to denote the amount chargeable on any single piece of vellum, parchment, paper, or other material, provided, however, that the stamps impressed at the Stamp Office of the Superintendent of Stamps, or other place appointed in lieu of it, shall always correspond in number and value with the counter stamps impressed at the General Treasury, and that all dies shall, besides the words denoting their value, contain the following words, that is to say, those used at the office of the Superintendent of Stamps, or other place aforesaid, shall contain the words *Stamp Office*, and the counter stamp impressed at the General Treasury, shall similarly contain the words *General Treasury*.

Board of Revenue to alter the dies from time to time.

Third. The said Board, or other authority, shall have the power of, at any time, changing or altering such dies, and of regulating the size, shape, manner, and matter of the impressions at discretion, provided that the stamp to be affixed at the Stamp Office do always contain in plain and legible characters, the legend prescribed for it in the preceding clause, and that the counter

Counter-Stamp of the Treasury do similarly contain its legend: provided also, that the Board of Revenue, or other authority aforesaid, shall, in the exercise of the powers and functions vested in them by this Regulation, be guided by such special directions as they may receive from the Governor General in Council in the manner heretofore used in all matters and things belonging to the management of the public Revenue.

Collector of Stamp Duties in Calcutta, how to be appointed.

VI. *First.* An Officer, being a Civil Servant of the Honorable Company, shall be specially appointed by the Governor General in Council, to take charge of the collection of the Stamp duty within the City of Calcutta, such Officer shall provide for the sale and distribution of the Stamps, being answerable to Government for the amount of duty chargeable upon each and every paper, vellum, or parchment received by him for distribution. The Collector of the Calcutta Stamp Duty shall receive such salary or other remuneration as may be appointed by the Governor General in Council. He shall, in all things connected with the collection of this duty, be subject to the Orders of the Board of Revenue, and shall keep such accounts and in such forms as may be prescribed by that authority.

Collector to be subject to the Orders of the Board of Revenue.

Collector's Office where to be held.

Second. The Collector of the Stamp Duty shall hold his Office, either in the same House with the Stamp Office, or as near to that Office as may be practicable. He shall, at all times, be supplied with Stamps upon indent by the Superintendent, to whom he shall grant receipts in duplicate.

Venders and distributors of Stamps how to be appointed.

Third. It shall be the special duty of the Collector of Stamps

Stamps to select proper persons resident in different parts of the Town, for the purpose of vending and distributing stamps on the part of Government. The appointment and removal of such venders shall be ordinarily made at his recommendation, by the authority of the Board of Revenue. Provided, however, that nothing herein contained shall be construed to preclude the Board of Revenue or the Governor General in Council, from causing licenses to be granted, without any recommendation from the Collector, whenever they shall see fit to issue to him directions to that effect, under the general powers exercised by the Board and by Government over all Subordinate Officers employed in the management or collection of the public Revenue.

Venders to be furnished with licenses.

Fourth. Every vender shall be furnished with a license under the Seal and Signature of the Collector, and the appointment of any one to this duty, as well as the withdrawing of any one's license or other discontinuance of his authority to vend, by resignation, death, and the like, shall be notified in the Government Gazette, for general information.

No person shall publicly sell Stamps without license or special authority from the Board of Revenue.

Fifth. No person, not licensed after the manner provided in the preceding Clause of this Section, (unless he should be otherwise specially authorized by the Board of Revenue) shall be competent to expose Stamped paper, parchment or other material publicly to sale, and any one offending in this respect, shall forfeit to Government, for the first offence, the sum of Sicca Rupees five hundred, and for the second, or any subsequent offence, the sum of one thousand Sicca Rupees. But nothing herein contained

Penalty for breach of this Rule.

contained shall be deemed to prevent persons having duly purchased Stamped paper from the authorized venders of Government, or having otherwise obtained such paper from the Stamp Office, after the manner hereinafter provided, from transferring the same to others at a price equal to the amount of duty denominated by the Stamp or Stamps impressed thereon: provided however that every person, who may so transfer Stampt Paper, shall endorse the same with his signature in the presence of one or more creditable persons, and the proof that the Paper was purchased as aforesaid, shall lie with the person so transferring it. Provided also, that if any individual shall sell or buy any Stampt Paper, or other material bearing or purporting to bear the Government Stamp, for a less price than the amount of the duty denominated by the Stamp or Stamps thereon impressed, he shall forfeit for each and every piece of paper, or other material so bought or sold by him, the sum of fifty Rupees.

But persons purchasing Stampt paper may transfer the same.

Under what conditions.

Penalty for purchase or sale of Stampt Paper at a value less than the amount of the duty impressed on the same.

VII. *First.* For the convenience of merchants and others, who may be desirous of having at all times in their possession papers, parchments, or the like, stamped with various impressions, to be used as occasion may require, in the drawing up of instruments of any of the descriptions required to be executed on materials impressed with the Government Stamps; it is hereby provided, that any person desirous of obtaining a supply of Stampt Paper or other material, shall, on application to the Collector of Stamps, and the payment into his Treasury of the amount chargeable on account of the Stamps required, receive a Certificate from the Collector, stating the amount paid, and the number and value of the Stamps required; and on the production of that Certificate,

Individuals how to get a supply of Stampt Paper from the Stamp Office.

Certificate, together with the necessary quantity of plain paper, parchment or other material, the Superintendent shall cause the same to be immediately Stamped at his office, with the Stamps specified in the said document, and shall transmit the said papers, parchments, or other materials to the General Treasury, to be there impressed with the necessary Counter-Stamps. Provided, however, that no person shall be entitled to require the Collector to grant a Certificate in the manner above stated, unless the total value of the Stamps for which he may tender payment shall amount to the sum of one hundred Rupees. And the number of pieces of paper, vellum, or other material required to be Stamped, shall not be less than twenty.

The Superintendent not to Stamp any Paper, or the like, on account of any Individual, without first requiring the receipt of Collector for the amount.

Second. No paper, vellum, parchment, or other material, shall, on any account, be received by the Superintendent of Stamps, to be Stamped on account of any Individual, unless the same be accompanied with a receipt in full, under the signature of the Collector of Stamps, for the entire amount of duty which may be required to be impressed thereon, or unless the same be sent him to be Stamped, by authority of the Board of Revenue, under the powers vested in that Board by this Regulation. The receipt of the Collector shall, in all cases, specify, as well the aggregate amount paid, as the number and description of the Stamps required, and the exact number of sheets or pieces on which the same are to be impressed. All such receipts shall be disposed of by the Superintendent in such manner as the Board of Revenue may prescribe.

Forms to be observed on the issue of Stamps under the above clauses.

Third. The Superintendent of Stamps shall appoint one or more

more Officer or Officers of his establishment to receive and compare with the Collector's receipt, all papers or the like brought to be Stamped as above, and after the Stamps shall have been affixed, the same Officer shall again count the whole and sign his name at the back of each separate sheet, or piece of paper, or other material, and he shall likewise note on each, the date on which the said paper is ready for re-delivery, and further make an entry to that effect, with specification of the quantity of paper or the like impressed with each description of Stamp, in a book to be specially kept by him for that purpose. When the paper or other article shall be prepared in the manner above described, it shall be made up into a parcel to be sealed with the Superintendent's seal, and shall, in that state, be forthwith transmitted to the person who may have sent it to be Stamped; or at the Superintendent's option, notice shall be sent of its being ready for delivery when called for.

In what case a discount may be allowed by Collector.

Fourth. Whenever any person or persons shall desire to send paper, or other material, to the Stamp Office, for the purpose of being Stamped, and shall consequently pay the amount of duty in advance in the manner above required, it shall be competent to the Collector of Stamps, in case the total amount so falling to be paid, shall exceed the sum of five hundred Rupees in any one payment, to allow to the party making such payment, a discount at the rate of four per Cent. upon the aggregate amount of duty leviable, or such other rate as may, from time to time, be appointed by the Governor General in Council, by notification in the Government Gazette, and the amount of such discount shall be charged, and entered on the Collector's accounts, under the head of disbursements.

At what rate.

How to be brought to account.

Fifth.

Licensed venders may purchase Stamps under what conditions.

Fifth. It shall also be competent to the Board of Revenue to direct and cause stamps to be furnished in the manner, and on the terms prescribed in this Section to any licensed venders, who may be willing to purchase the same: All such persons, however, shall, in the sale of Stampt paper so furnished to them, be subject to the same Rules, as are prescribed for the sale of Stamps supplied to them on account of Government. Provided, however, that if such vender shall resign, or be dismissed, or his license be otherwise cancelled, then and in that case he, his representative, or assign, shall deliver up to the Collector of Stamps, or to such person as he may appoint to receive the Stampt paper, vellum, or the like, furnished to him under the provisions of this Section, or such portion as may not have been disposed of, and shall be entitled to recover a sum equivalent to the price which he may have advanced for the same, viz. the specified amount of the Stampt paper, or other material aforesaid, with a deduction of the discount that may have been allowed on it.

Penalty on Superintendent for stamping Paper, or the like, on account of Individuals without Certificate from Collector.

Or other sufficient authority.

Penalty on Collector for granting Certificate before duty is paid.

VIII. *First.* If any Superintendent or other Officer shall fix, or impress, or cause to be fixed or impressed, any Stamp to or upon any vellum, parchment, paper, or other material, which shall be brought to the Stamp Office, to be stamped or marked, without a regular certificate from the Collector of the amount of duty having been paid, or without special authority in writing from the Board of Revenue, he shall for every such offence forfeit the sum of one thousand Rupees. In like manner, if any Collector, or other Officer appointed to receive the stamp duty, shall grant a Certificate of the above description, before the prescribed duty

duty with a deduction of the authorized discount shall have been actually paid, such Officer shall forfeit for every such offence the sum of one thousand Rupees, besides being held responsible for the amount of duty unrealized.

Second. Any Native Officer, or other person causing, or procuring any Stamp to be fixed or impressed, or any Certificate to be granted in the irregular manner aforesaid, or conniving with the Officer so fixing, or impressing any Stamp, or so granting a Certificate, shall forfeit for every such offence the sum of one thousand Rupees, and shall, in addition, be held answerable for the amount of duty chargeable on the paper mentioned in the Certificate.

Penalty on Native Officer or other Person causing or procuring Stamp to be impressed, or Certificate granted irregularly.

IX. *First.* The following Rules are enacted for the controul and superintendence of the venders and distributors authorized to be appointed by Section VI. of this Regulation.

Rules for Venders and Distributors.

Second. Every person who may be appointed to be a vender or distributor of Stamps on the part of Government, shall attend the Board in person, and execute a bond with one or more responsible sureties, for the faithful performance of the several duties, prescribed for such venders and distributors in this, or any future Regulations, with such penalty, and after such form, as may be required by the said Board, and any failure in fulfilling the conditions of such bond, shall, besides the penalty thereby provided, subject the offender to immediate dismission from the said office of vender or distributor, by the Board of Revenue.

Venders and Distributors, to give security for the due discharge of their duty.

Third.

Rules to be observed by them.

Third. The following Rules shall be observed by all venders and distributors of Stamps, and the bonds executed by those persons on their appointment, shall distinctly bind them to a strict observance of those Rules, subject in case of failure to the several penalties hereinafter specified. Provided, however, that it shall also be competent to the Board of Revenue, to require the venders and distributors of stamps to come under such further engagements, as may appear necessary, and as may be legally required from them.

Board may require further engagements.

Licenses and Schedule of Stamp Duties to be stuck up, in Vender's shops.

Fourth. All persons licensed to vend or distribute Stamps, shall, at all times, have their respective licenses, together with a Copy of the Schedule annexed to this Regulation duly authenticated by the official signature of the Collector of Stamps, stuck up in a conspicuous place within the shop or building in which they may sell the Stamps, and shall further hang up on the outer door of such shop or other building, such notification of their being licensed as the Board of Revenue may direct. Any neglect or failure to observe the above rule, will subject the party offending to a fine of Sicca Rupees fifty.

Accounts to be kept by Venders, and produced to Collector when required.

Fifth. All persons as aforesaid shall keep such accounts of the paper received and delivered by them as the Board of Revenue may direct, and shall furnish the Collector with such copies or extracts of those accounts, and at such periods as he may, from time to time, require. The said persons shall regularly pay to the Collector all money or monies received by them on the sale of Stamps entrusted to them on the account of Government, at such periods as the said Officer may appoint, and

Money received by Venders to be regularly accounted for.

and shall likewise at all times, when required, permit the Collector or other person duly authorized by him, to inspect the accounts kept by them and to examine the store of Stampt paper, or the like, which they may have in their possession.

Accounts and Stamps to be produced for inspection when required.

Sixth. Any vender or distributor failing to produce before the Collector of the Stamp duty, any of the accounts required by the Board of Revenue, to be kept by him, after requisition made in writing by that Officer, and failing to account for such omission to the satisfaction of the Board of Revenue, or other authority exercising the powers of that Board, shall forfeit the sum of fifty Rupees, and shall further pay such daily fine for every day beyond the date fixed in such requisition for the production thereof, until the day when the accounts may be produced, as the Board of Revenue may direct. Any vender or distributor refusing to permit the Collector of Stamps, or other person duly authorized by a writing under the seal and signature of that Officer, to inspect the said accounts and examine the store of Stamped paper, at the time in the custody of such vender or distributor immediately upon demand, shall forfeit for every such refusal the sum of one hundred Sicca Rupees, and shall further be subject to such daily fine until he complies with the Collector's requisition, as the Board of Revenue may direct.

Penalty for breach of above Rules.

Seventh. No vender or distributor of Stamps shall deliver any stamped paper or the like, without having previously received the full amount of the duty denominated by the Stamp thereunto affixed: save and except in cases, in which he may be otherwise

Venders to realize duty before delivering Stamp.

otherwise specially permitted or directed by the Collector or Board of Revenue.

Penalty for delivery of Stamps without receipt of full duty.

Eighth. Any vender or distributor who may, without authority, permission or direction in writing from the Collector or Board of Revenue sell, give out, or deliver Stamped paper, vellum, parchment, or the like, without having received the entire amount of duty denominated by the Stamp affixed thereto, shall forfeit for each, and every piece of paper or other material aforesaid so given out or delivered by him, the sum of fifty Rupees, besides being held responsible for the amount, which should have been taken in case of its not being afterwards recovered. Any person taking or receiving Stamped paper from any such vender, without having paid the entire amount of duty as aforesaid, shall forfeit the like sum of fifty Rupees for each, and every piece of paper, &c. received or taken by him.

Penalty for receiver in such case.

Venders to endorse the date of sale, and delivery of Stamps sold by them.

Ninth. All venders and distributors of Stamps shall carefully write on the back of each sheet, or piece of Stampt paper, or the like, sold or delivered by them, the date of sale and delivery, and shall attest each endorsement with his signature written in the manner commonly used by him.

Penalty for neglect.

Tenth. Any vender or distributor giving out, or delivering any Stamped paper or the like, without writing at the back of each sheet or piece, his name, and the date of sale, and delivery as aforesaid, shall forfeit for each, and every piece of paper so given out or delivered by him, the sum of fifty Rupees, provided the

the value of the paper sold do not exceed the sum of sixteen Rupees; but, if the value of the paper so sold without signature exceed the sum of sixteen Rupees, then the vender shall for every offence so committed forfeit a sum equal to three times the value of the paper so illegally sold by him.

Eleventh. Any vender or distributor writing a false date at the back of paper, vellum, or parchment given out by him, shall forfeit the sum of one hundred Rupees for every such offence, or if the value of the stamp sold exceed Sixteen Rupees, then he shall forfeit six times the value of such Stampt paper, besides being in both cases liable to the penalty of his bond in case of any breach of its stipulations.

Penalty for falsification of date.

Twelfth. All venders and distributors of Stamps shall comply with all applications made to them for the purchase of Stampt paper or the like, with as little delay as possible. Any vender or distributor, being applied to for Stamped paper or the like, and having in his possession the description of paper required, shall, in case of refusal or wilful delay to furnish the same to the person applying for it, and tendering the value in coin of the established currency, or in notes authorized by Government to be received in payment of the public revenue, forfeit for every such offence the sum of fifty Rupees.

Penalty for refusal or wilful delay, to deliver Stamps.

Thirteenth. No vender, or distributor of Stamps shall, on any plea or pretext whatsoever, take or demand a higher price for the Stamps delivered by him, than the sum denoted by the Stamp or Stamps impressed on the paper, parchment, or the like

Penalty for exaction of price, or consideration, in excess of the duty.

so

so delivered; or any fee, reward or consideration for furnishing Stamps to persons applying for them: and any vender or distributor who, upon furnishing Stamped paper, parchment, vellum, or any other article bearing a stamp, to any individual for use, shall, as a consideration for furnishing the article, or on any other pretext, take or demand as the equivalent of the article so furnished, a higher price than the amount that may be denoted by the impression of the Stamp or Stamps upon such paper, parchment, vellum, or the like, shall forfeit for every such offence the sum of Sicca Rupees one hundred.

Collectors may require collateral security from venders.

Fourteenth. It shall be competent to the Collector of Stamps, to demand for his personal satisfaction, such collateral security, in addition to the said bond, as he may deem necessary, to guard against loss from the misappropriation of the Stamps delivered to the venders or distributors, or the embezzlement of the money realized by them, and to require the same to be renewed or other security to be furnished at any time that he may deem the same expedient, and any one unable or refusing to give such security when required, shall not be appointed, or if already appointed, shall be liable to have his license immediately withdrawn.

On removal or resignation of vender, money, paper and writings to be delivered to Collector.

Fifteenth. When the license of any vender or distributor may be withdrawn, or when such vender or distributor shall resign the office, all Stampt paper, or other article remaining in store at the time of such removal or resignation, and all accounts regarding the sale and distribution of Stampt paper, or the like, at any time delivered to him, together with the balance of

of all money or monies, which may have been realized by the sale and distribution thereof up to the date of the said removal or resignation, and which may not have been already paid or accounted for to the Collector of Stamp duty, and likewise all licenses, orders, or other documents or writings, which the said vender or distributor may have received from that officer, shall be forthwith delivered over to the said Collector, or to such person or persons as he may appoint by a writing, under his hand and seal, to take charge thereof, receiving for such part of the stamp paper or the like as may have been furnished to him, under the provisions of Section VII. of this Regulation, the amount actually paid by him for the same as therein directed. In case any vender or distributor so removed or resigning, shall refuse or fail to make over the said accounts and stores, and the balance of the accounts in cash or any part thereof, he shall forfeit for such failure or refusal, a sum equal to triple the amount and value of the Stamps and money, which may appear from the accounts kept at the Collector's Office, to be in the possession of such vender or distributor, together with such daily fine, until the papers, accounts and documents required are furnished, as the Board or other authority aforesaid may direct.

Course to be followed on death of vender.

Sixteenth. In case of the death of any vender or distributor, the Collector of the Stamp duty shall in like manner be empowered to demand, from the heir or person administering to the estate of the deceased, or other person in charge of his effects, the remainder of any store of Stamped paper, vellum, parchment, or the like, in the possession of such vender or distributor, at the time of his decease, together with all accounts of the

the sale or distribution thereof, as well as all licenses, orders, or other documents or writings as aforesaid, that may be forthcoming amongst the effects of the deceased, and in the event of any refusal on the part of the heir, administrator or other person in charge of the effects of the deceased, to deliver the same, or of refusal to allow search to be made whenever the Collector of the Stamp duty may demand to make search for the said stores or accounts; such heir or administrator, or other person in charge of the estate, shall forfeit for every such offence the sum of fifty Rupees, and shall further be subject to such daily fine until the papers, accounts, documents, and writings required are furnished, as the Board of Revenue may direct.

Cases in which sureties may be called on.

Seventeenth. Provided also, that it shall be competent to the Collector, in the cases specified in the two preceding clauses, as well as in all cases, in which a vender or distributor may fail or delay to account for, and make good the value of any Stampt paper, or the like, with which he may have been furnished for sale on account of Government, immediately to call upon the surety, or sureties of the said vender or distributor, to make good the deficiency of money or paper, and on their failure to do so, to proceed against all, or any of them, for the recovery of the amount.

Venders to verify their accounts by oath, or affirmation.

Eighteenth. All persons appointed by the Board of Revenue to be venders or distributors of Stamps, shall verify by affidavit, or affirmation, their respective accounts, whenever they may be required by the Board to do so, and, if any vender or distributor shall refuse, or neglect to verify his accounts within such

such reasonable time, as he shall be called upon so to do, by the said Board, or any member thereof, he shall for every such offence forfeit the sum of five hundred Rupees.

Stamps accidentally destroyed, how to be replaced.

X. *First.* Should it so happen that any parcel of papers, parchments, vellums, or the like, or any single sheet, or piece thereof that may have been duly Stamped, and obtained from a licensed vender of the Stamps direct, or from the Stamp Office, under the Rule contained in Section VII. of this Regulation, shall have been destroyed by fire or other accident,—it shall be competent to the Board of Revenue, or other authority exercising the powers of that Board, upon its being proved to the satisfaction of that authority, that the said Stamps were duly received, and subsequently were destroyed by accident, after the manner asserted, to cause their Secretary to grant to the owner of the paper, or other material destroyed, a certificate under his signature, and the seal of the Board, specifying the number and value of the Stamps so destroyed, and the said owner shall, upon carrying the said certificate to the Stamp Office, together with such quantity of paper, vellum, or the like, as may be sufficient for the purpose, be entitled, without any fee, charge, or duty whatsoever, to have the paper, vellum, parchment, or the like, so carried to the Stamp Office, Stamped or marked for such duties, as may be specified in the said certificate, and the Superintendent of Stamps is hereby enjoined to cause the same to be Stamped and delivered in the same manner, as if the paper, or other material were accompanied with a certificate of the duty having been paid under the hand and seal of the Collector of the Stamp duty; provided, however, that a separate account shall be kept

kept of all Stamps impressed, or affixed by warrant of such certificate.

Also soiled or spoiled Stamps.

Second. In like manner, in case any stamped paper, parchment, vellum, or the like, after having been obtained in the regular manner, shall have become soiled, spoiled, or unfit for use, either by consequence of any accident happening to the same, or because of error in the drawing up, or copying of any instrument thereupon, which being discovered before such instrument may be finally signed and executed, shall render the writing of no avail; or in which, by reason of the death, or refusal of the party or parties, whose signature may be necessary to effect the transaction intended by such writing, it should be incomplete and of no avail; or in which, by the refusal of any office, or trust that may be granted by such instrument, it shall fail of the purpose intended; or in the case of Promissory Notes, Bills of Exchange, or the like, if by non-delivery to the payee, or person acting on his behalf, or other cause, they shall never be brought to use: In all such cases, it shall be competent to the Board of Revenue, or other authority exercising the powers of that Board, upon delivery being made of the stamped paper, parchment, vellum, or the like, so soiled or spoiled, to cause certificate to be granted after the manner provided, in order that the owner of the article, or articles so soiled or spoiled, may have the like, or equivalent stamps, impressed upon other materials to be furnished by him for that purpose. But this rule shall not extend to Bills of Exchange drawn in sets, of which any one of the set may have been delivered to the payee.

Third.

Third. Provided, however, that no such certificate shall be granted by authority of the Board of Revenue, except the total value of stamps proved to have been destroyed or soiled by accident, or the total value of every single stamp in the case of the material having been spoiled by being written upon shall amount to or exceed the sum of ten Sicca Rupees. Provided likewise, that no such Certificate shall be granted, except after proof exhibited that the accident or act, by reason of which the material may have become soiled, or spoiled, or destroyed, or useless, occurred within the period of three calendar months of the date on which application may be made for the Certificate. No exception shall be taken to any deed, or instrument, on the ground that the stamp, which may have been used is not of a proper denomination or rate of duty, provided the same bear an equal or greater value in the whole than the stamp which ought regularly to have been used.

Restriction of above Provision to cases in which the Stamps destroyed or spoiled, shall amount to or exceed Ten Rupees.

Limitation as to the time, within which application is to be made.

XI. *First.* If any person or persons shall, after the date specified in the Preamble of this Regulation, write or engross, or cause to be written or engrossed on any vellum, parchment, paper or other material, any of the matters or things on account of which such material would be chargeable with stamp duty, under the rules of this, or any other Regulation in force, before the said material shall have been duly stamped; or if any person shall, after the said date, in any manner make, sign, or execute, or accept, or negociate, any deed or instrument chargeable with a stamp duty, that may not have been executed on paper, or other material duly stamped, such person or persons shall forfeit for every such offence, a sum equivalent to twenty times the value of the stamp paper which ought to have been used.

Penalty for employing paper &c. not bearing prescribed stamp.

Second.

Holders of instruments written on unstampt paper, on what condition to get them stampt.

Second. Provided, however, that if any person or persons writing or engrossing, or causing to be written or engrossed, any matter or thing chargeable with a stamp duty, upon unstamped paper, vellum, parchment, or the like, or any person or persons accepting or becoming possessed of any deed, instrument, or writing, so written on unstamped paper, or desirous of negociating or benefiting thereby, shall voluntarily carry the same to the Collector of Stamps, and shall pay to that Officer the entire amount of duty chargeable thereupon, together with the amount hereinafter provided, the Collector shall transmit the deed, instrument, or writing, to the Superintendent of the Stamp Office, for the purpose of being duly stampt, and the person aforesaid shall not be liable to the penalty declared in the preceding clause, that is to say, if the deed or instrument originally executed on unstamped paper, shall be brought to be stamped in the manner above mentioned, at any time before the money conditioned, or directed to be paid, or the act conditioned to be done shall be due, but not later than thirty days from the date of the execution of the deed, instrument, or writing, or (in the case of deeds, instruments, or writings, not conditioning the payment of money, or the performance of any contract within a specific period) at any time within thirty days of the execution of the deed, instrument or writing the party shall pay a sum equal to five times the value of the stampt paper which ought to have been used: if the deed or instrument aforesaid shall not be brought in the manner above mentioned, within the period above specified, the party bringing it shall pay a sum equal to ten times the value of the stampt paper which ought to have been used.

If within thirty days.

If after thirty days.

Third.

Third. In case any deed or instrument shall have been executed on paper, parchment, vellum, or other material stamped for a rate or amount of duty less than what may be the rate or amount chargeable on account of the matter or thing that may have been engrossed or written thereupon, the like penalties shall attach as have been provided by the preceding Rules of this Section, that is to say, a sum equal to twenty times the excess of the proper stamp above the value of that which may have been used, shall be forfeited, if the error of the stamp be discovered, otherwise than by the voluntary production of the party or parties concerned; and a sum equal to five or ten times the said excess, if the party shall voluntarily bring such deed to have the proper stamp affixed within the periods above stated, respectively.

Penalty in case of the Employment of Paper, &c. stampt with too low a stamp.

Fourth. Provided, however, and it is hereby enacted, that in case any deed or instrument, chargeable with a stamp duty, shall have been executed on unstamped paper, or other unstamped material, or on any material bearing a stamp of an amount, not equal to the duty chargeable upon such deed or instrument, then if the person executing such deed, or any other party interested, shall establish to the satisfaction of the Board of Revenue, or other authority exercising the powers of that Board, that the irregular execution of the deed or instrument was owing to accident, or inadvertence, or to other unavoidable cause, it shall be competent to the above-mentioned authority, in case they should think proper to do so, to remit part, or the whole of the penalties above enacted, and to cause a proper stamp to be affixed to such unstamped or improperly stamped instrument,

Provision for case of accident or inadvertence.

instrument, on the payment of the actual amount of duty chargeable thereupon.

Provision for the case of instruments being written on paper, &c. with a forged stamp.

Fifth. Provided, further, that if the stamp or stamps affixed to any instrument, deed, or the like, be detected to be forged or counterfeit, the full penalty of twenty times the value of the stamp on which the same should have been written, shall, in all cases, be exacted, in addition to the entire amount of duty chargeable for such deed, before the same shall be impressed with the genuine stamps of Government, unless the material on which the same may be executed, shall bear the endorsement required by Section VII. or Section IX. of this Regulation, as the case may be, and unless the party having executed, or being at the time in possession of such deed, shall be able to prove to the satisfaction of the Board of Revenue, or other authority exercising the powers of that Board, that the material stamped with a forged stamp, was purchased or obtained on the date specified on the back of it, and from the individual whose name may be there signed. If the required matter shall be duly endorsed on the back of any material stamped with a forged impression, and the proof adduced to the fact and date of purchase, be deemed by the Board of Revenue to be sufficient, the regular and genuine stamps shall be caused to be affixed on payment of one half the established duty chargeable on account of the matter of the instrument or deed in question, and certificate to that effect shall be given by the Board of Revenue.

Penalty for filing or recording instruments not bearing the prescribed stamps.

XII. *First.* Any person or persons filing, exhibiting, recording, or causing, or procuring to be filed, exhibited, or recorded,

recorded, for the purposes of proof, information, registry, or for any purpose or manner whatsoever, in any Court of Justice or other Public Office, any deed, instrument, or other writing required to be written on stampt paper, which may not be written on the prescribed stampt paper, whether the said person or persons be himself the party interested in the case or matter, on account of which such deed, instrument, or writing may be filed, exhibited or recorded, or be the Attorney or Agent of such party, shall forfeit to Government a sum equal to twenty times the value of the stampt paper on which such deed, instrument, petition, pleading, or document ought to have been written.

Penalty for filing papers, &c. not duly endorsed by a vender or distributor of Stamps.

Second. If any deed, instrument, or other writing, required to be written on stampt paper, and written on the prescribed stampt paper, shall be filed, exhibited, or recorded in any Court of Judicature, or in any Public Office, not having the signature of a licensed stamp vender, or other person duly authorized to sell or distribute stamps, endorsed upon it, the person or persons, filing, exhibiting, or recording the said deed, instrument, or writing, or causing, or procuring it to be filed, exhibited, or recorded, shall forfeit a sum equal to five times the value of the said stampt paper.

Penalty for filing an instrument or the like bearing a forged Stamp.

If without due endorsement.

Third. If any deed, instrument, petition, or document, shall be filed, exhibited, or recorded as aforesaid, having a forged or counterfeit stamp or signature, the person filing, exhibiting, or recording such deed, instrument, or document, or causing, or procuring it to be filed, exhibited, or recorded, shall forfeit to Government a sum equal to twenty times the value of the stamp, which

which ought to have been used, unless the material, on which the same may be executed, shall bear the endorsement required by Section VII. or Section IX. of this Regulation, as the case may be, and the party shall be able to shew that the material stamped with a forged stamp was purchased, or obtained on the date specified on the back, and from the individual, whose name may be there signed. If the required signature and date shall be duly endorsed on the back of the material stamped as aforesaid, with a forged impression, and the proof adduced to the fact and date of purchase be deemed by the Officer before, or in whose Office the writing may be filed, exhibited, or recorded to be sufficient, the said Officer shall transmit the document to the Collector of Stamps, with a communication of his judgment in the case, and the Collector shall, on payment by the party of one-half the established duty chargeable on account of the matter of the instrument or deed in question, forward it to the Superintendent of Stamps, in order that it may be duly stamped.

Course to be followed, if paper bearing a forged Stamp be duly endorsed.

XIII. If any person shall discover that any deed, instrument, or document in his possession is written on paper, or other material bearing a forged or counterfeit signature or stamp, such paper, or other material bearing the signature and date required by Section VII. or IX. of this Regulation, as the case may be, and shall state the circumstance to the Board of Revenue, or other authority exercising the powers of that Board; the said person shall, on proving to the satisfaction of that Board, or other authority aforesaid, that the paper or other material in question was purchased, or obtained on the date specified on the back, and from the individual whose name may be there signed, be entitled

Persons discovering forged Stamps in their possession how to proceed.

entitled to have the said paper or material duly stampt without any fee or charge.

XIV. No exception shall be taken to any deed, instrument, or other writing, on the ground that the stamp which may have been used, is not of a proper denomination, or rate of duty, provided the stamp or stamps used, equal or exceed in value, the stamp or stamps which, under the provisions of this Regulation, ought to have been used.

No exception on account of over-value.

XV. It shall and may be lawful for the Board of Revenue, the Superintendent of Stamps, and the Collector, or other Officers vested with the charge of Offices established for the sale and distribution of stamps, to summon witnesses, to administer oaths and affirmations, and to take affidavits and affirmations, in all cases where he or they shall respectively think it necessary to administer or take an oath, or oaths, affirmation, or affirmations, in any investigation or enquiry into any case relating to the Stamp Revenue, or in any matter or thing connected therewith.

Board of Revenue, Superintendent of Stamps, and Collector authorized to administer oaths.

SCHEDULE.

SCHEDULE referred to in the Body of the Regulation, containing the Duties chargeable on Instruments of Conveyance, Contract, Obligation, and Security for Money, and on Deeds in general.

	Sa. Rs.	A.
AGREEMENT, or any Minute or Memorandum of an Agreement concerning any matter or thing of the value of five hundred Rupees or upwards, not otherwise charged in this Schedule, nor expressly exempted from all stamp duty, whether the same be only evidence of a contract, or obligatory upon the party.	8	0
EXEMPTIONS.		
Memorandum of Agreement for the hire of labour.		
Ditto for the Sale of Goods, under the value of five hundred Rupees, and all Agreements carried on by letter and the like, between merchants and other persons residing forty miles from each other.		
ASSIGNMENTS, if not of the nature specified under the heads of Conveyances and Settlement, nor specially exempted..	8	0
BILLS OF EXCHANGE, Drafts, Promissory Notes, Hoondies, Teeps, Burats, or other order or obligation, for the payment of money		

							Sa. Rs.	A.
money payable, (if payable within the provinces subordinate to this Presidency) at sight, or at any stated period, not exceeding three months after date, or ninety days after sight, (not being a deed, instrument, or writing, bearing the attestation of one or more witnesses,) together with all Bills of Exchange, payable out of the said provinces at whatever date.								
If for a sum of	Money	not	exceeding	25	Rupees,		0	1
Above	25 Rs.	and not	exceeding	50	„		0	2
„	50 „	.....	Ditto ...	100	„		0	4
„	100 „	.....	Ditto ...	200	„		0	8
„	200 „	.....	Ditto ...	400	„		0	12
„	400 „	.....	Ditto ...	800	„		1	0
„	800 „	.....	Ditto ...	1600	„		1	8
„	1600 „	.....	Ditto ...	3000	„		2	0
„	3000 „	.....	Ditto ...	5000	„		2	8
„	5000 „	.....	Ditto ...	10000	„		4	0
„	10000 „	.....	Ditto ...	20000	„		6	0
„	20000 „	.....	Ditto ...	30000	„		8	0
„	30000 „	.....	Ditto ...	50000	„		12	0
„	50000 „	.....	Ditto ...	100000	„		16	0
„	100000 „	.....	... ...	... ...	„		20	0

Promissory Notes written on paper of the above value, shall not be re-issued after payment.

Promissory

Promissory Notes intended to be re-issued, shall be charged as follows.

							Sa. Rs.	A.
If for a sum of Money not exceeding					25	Rupees,	0	2
Above	25	Rs.	and not exceeding		50	„	0	4
„	50	„	.....	Ditto ...	100	„	0	8
„	100	„	.....	Ditto ...	200	„	0	12
„	200	„	.....	Ditto ...	400	„	1	0
„	400	„	.....	Ditto ...	800	„	1	8
„	800	„	.....	Ditto ...	1600	„	2	0
„	1600	„	.....	Ditto ...	3000	„	2	8
„	3000	„	.....	Ditto ...	5000	„	4	0
„	5000	„	.....	Ditto ...	10000	„	6	0
„	10000	„	.....	Ditto ...	20000	„	8	0
„	20000	„	.....	Ditto ...	30000	„	12	0
„	30000	„	.....	Ditto ...	50000	„	16	0
„	50000	„	.....	Ditto ...	100000	„	20	0
„	100000	„	.....	... ...	... ...	...	32	0

Note. The Governor General in Council reserves to himself the power of admitting any Bank or Company to compound for the stamp duty chargeable on the Notes issued by it.

Notice of such arrangements to be given in the Government Gazette.

Foreign

	Sa. Rs.	A.
Foreign Bills of Exchange, drawn in sets for every Bill of each Set, where the sum made payable thereby may not exceed ... ... 400 Rupees.	0	8
More than 400 Rupees, but not exceeding 800 Rupees,	0	12
„ 800 „ ..... Ditto ... 1600 „	1	0
„ 1600 „ ..... Ditto ... 3000 „	1	8
„ 3000 „ ..... Ditto ... 5000 „	2	0
„ 5000 „ ..... Ditto ... 10000 „	2	8
„ 10000 „ ..... Ditto ... 20000 „	4	0
„ 20000 „ ..... Ditto ... 30000 „	6	0
„ 30000 „ ..... Ditto ... 50000 „	8	0
Exceeding 50000	12	0

EXEMPTIONS.

BILLS OF EXCHANGE drawn and Promissory Notes issued by Government Officers, having authority to draw Bills upon the Government Treasuries, or to issue Promissory Notes, or other Acknowledgements on account of Government.

All Drafts or Orders for the payment of any sum of money on demand, drawn upon any Bank, Banker, or Agent, residing within twenty miles of the place where such Draft or Order shall be issued, such place being specified on the face of the draft.

BILLS OF LADING, of or for any Goods to be Exported, ...	1	0
BILLS OF SALE,		
An Absolute Bill of Sale, ...	See Conveyances.	

Bill

	Sa. Rs.	A.
Bill of Sale, as a security, being the principal or only deed whereby the property is conveyed, ...	See Mortgage.	
Bill of Sale, as a security, being merely a collateral one with some deed or instrument, that has paid the advalorem duty prescribed for conveyances, ...	8	0
BONDS, Tumusooks, Promissory Notes, or other obligation for the payment of money, payable at a period exceeding three months after date, or ninety days after sight.		
If for any sum not exceeding ... ... 25 Rupees,	0	2
Above 25 Rupees and not exceeding 50 „	0	4
„ 50 „ ... Ditto ... 100 „	0	8
„ 100 „ ... Ditto ... 200 „	1	0
„ 200 „ ... Ditto ... 300 „	2	0
„ 300 „ ... Ditto ... 500 „	4	0
„ 500 „ ... Ditto ... 1000 „	6	0
„ 1000 „ ... Ditto ... 2000 „	10	0
„ 2000 „ ... Ditto ... 3000 „	16	0
„ 3000 „ ... Ditto ... 5000 „	20	0
„ 5000 „ ... Ditto ... 10000 „	32	0
„ 10000 „ ... Ditto ... 20000 „	40	0
„ 20000 „ ... Ditto ... 30000 „	50	0
„ 30000 „ ... Ditto ... 50000 „	64	0
„ 50000 „ ... Ditto ... 75000 „	70	0
„ 75000 „ ... Ditto ...100000 „	80	0
„ 100000 „ ... Ditto ...150000 „	100	0
„ 150000 „ ... Ditto ...200000 „	120	0
„ 200000 „	150	0

BONDS,

	Sa. Rs. A.
BONDS, concerning Respondentia and Bottomry, ...	Advalorem as above
BONDS, given as Security for the transfer of Government Securities, or for the payment of an Annuity, for a fixed period, or for the delivery or accounting for any matter or thing capable of being valued, ...	Shall be charged at the rate of the amount engaged to be paid, or accounted for, or at the value of the thing to be delivered or transferred.
BONDS, for Annuities for an indefinite period, such as Life Annuities and the like, ...	Shall be charged at the rate of 10 times the yearly payment.
BONDS, where the amount of the money to be secured or ultimately recovered, shall be uncertain and unlimited,	150 0
Where the amount is limited to a certain sum, ...	The same as on a Bond for such limited sum.
BONDS, taken as Collateral Security with some deed or instrument, that has paid the advalorem duty, prescribed for conveyances or money Bonds, or as security for the performance of any other contract, covenant or agreement, not being for the payment of money, the transfer of property, or the satisfaction of any pecuniary demand.	8 0
BONDS of Indemnity.	
BONDS, for the due execution of an office or work, and all other Bonds not otherwise charged or exempted from duty.	

EXEMPTIONS.

	Sa. Rs.	A.
EXEMPTIONS.		
ARBITRATION BONDS.		
BONDS, given to or by the Officers of Government on account of any matter, or thing of, or belonging to the Government in its Political or Territorial capacity.		
SECURITY BONDS, which may be taken by or by order of any Court, Collector or other Judicial or Revenue authority, Razeenamahs, Sooluhnamahs and Ruffanamahs, filed in any suit pending in a Court of Justice, shall be charged as prescribed in the Regulations already in force or hereafter to be enacted.		
CHARTER PARTIES, or any Agreement or Contract for the charter of any ship or vessel or any Memorandum, Letter or other writing between the Captain, Master or Owner of any ship or vessel, and any other person, for or relating to the freight or conveyance of any money, goods or effects on board of such ship or vessel, ...	8	0
EXEMPTIONS.		
Charter Parties of ships or vessels taken up by Government for the conveyance of Troops or Military Stores, or for other Political purposes,		

CONTRACTS

	Sa. Rs.	A.
CONTRACTS OR DEEDS, if not otherwise charged nor exempted from duty		
COPARTNERSHIP, Deeds of	8	0
COMPOSITION, Deeds or other Instruments of composition between a debtor or debtors and his, her or their creditors		
CONVEYANCES, whether grant, disposition, assignment, transfer, renunciation, or of any other kind or description whatsoever upon the sale of any lands, tenements, rents, annuities or other property real or personal, heritable or moveable, or of any right, title, interest, or claims in, to, out of, or upon any lands, houses, rents, annuities, or other property, that is to say, for or in respect of the principal or only deed, instrument, or writing, whereby the property sold shall be conveyed to or otherwise vested in the purchaser or purchasers, or to some other person, by his or their direction.		
Where the purchase or consideration-money therein expressed or denoted, shall not exceed ... ... 50 Rupees,	0	8
Above 50 Rupees and not exceeding, 100 „	1	0
„ 100 „ ... Ditto ... 200 „	2	0
„ 200 „ ... Ditto ... 500 „	4	0
„ 500 „ ... Ditto ... 1000 „	8	0
„ 1000 „ ... Ditto ... 2000 „	12	0
„ 2000 „ ... Ditto ... 3000 „	16	0
„ 3000 „ ... Ditto ... 5000 „	20	0
Above		

								Sa. Rs.	A.
Above	5000	Rupees and not exceeding				8000	Rupees,	32	0
„	8000	„	...	Ditto	...	12000	„	40	0
„	12000	„	...	Ditto	...	20000	„	50	0
„	20000	„	...	Ditto	...	30000	„	64	0
„	30000	„	...	Ditto	...	50000	„	80	0
„	50000	„	...	Ditto	...	100000	„	100	0
„	100000	„	...	Ditto	...	200000	„	150	0
and for every further Lack of Rupees beyond 2 Lacks,...								100	0

Note. Where, of several deeds, instruments, or writings, a doubt shall arise, which is the principal, it shall be lawful for the parties to determine for themselves, which shall be so deemed, and to engross the same on paper, parchment, vellum, or the like, stamped for the prescribed advalorem duty—provided, however, that in all cases, where there are more deeds than one, all other deeds than the principal shall be charged with a stamp duty of eight Rupees, and all such deeds shall specify by their contents, which other is the principal deed, by which the conveyance has been effected,—certifying, that it is executed in the manner and on the material stamped as required.

EXEMPTIONS.

All grants, leases, sales, or the like, wherein Government, in its Political or Territorial capacity, is a party.

[*Note.* This exemption shall not extend to sales made for the recovery of arrears of revenue or rent, or in satisfaction of decrees

	Sa. Rs.	A.
decrees of court, in which cases the purchaser shall be required to pay the prescribed duty along with the purchase money, —and shall receive from the officer conducting the sale, a deed of sale executed on paper impressed with a corresponding stamp.]		
All tranfers of subscriptions to any of the Government Loans or other Government Securities—also of Bank shares.		
COPIES. Copy in any manner authenticated, or declared to be a true copy, or made, for the purpose of being given in evidence, as a true copy of any bond, deed, or instrument of agreement, contract, conveyance, or of any deed or instrument whatsoever chargeable with a stamp duty.		
Where such copy shall be made for the security or use of any person being a party to, or taking any benefit or interest, immediately under such agreement, contract, bond, deed, or other instrument, ...	The same duty as for the original instrument.	
Where such copy shall be made for the security or use of any person not being a party to, or taking any benefit or interest, immediately under such agreement, contract, bond, deed, or other instrument, ...	8	0
Likewise, any copy authenticated, or made as aforesaid of any Schedule, receipt, or other matter put or endorsed on, or annexed to any such agreement, contract, bond, deed, or other instrument aforesaid, ...	8	0.

Note.

	Sa. Rs.	A.
Note. Authenticated copies of any records, letters, accounts, statements, reports, or other writings furnished to individuals, from any of the Public Offices of Government, in Calcutta, shall be written on paper of the value, for each and every sheet, of	0	8
EXEMPTIONS.		
Copies made for the private use only of any person having the custody of the original instruments, or of his or her attorney or solicitor.		
Copies of papers, which Public Officers are directed by any general Regulation, to make, require, or furnish—not specially declared chargeable with stamp duty.		
Copies of Proceedings and Decrees of the Sudder Dewanny Adawlut, which shall be charged in the manner, and subject to the conditions prescribed in Regulation I. 1814, and other subsequent Regulations.		
DEEDS, of any kind, not otherwise particularized in this Schedule,	8	0
EXCHANGES. Any deed, whereby any real property shall be conveyed or surrendered in exchange for other property.		
If no sum of money shall be paid or agreed to be paid, for equality of exchange, ...	8	0
And if any sum of money be paid or agreed to be paid for equality of exchange, ...	The same advalorem duty as for a conveyance for such sum.	

ENGAGEMENTS,

BENGAL SECRETARIAT LIBRARY

	Sa. Rs.	A.
ENGAGEMENTS, to cultivate, provide or deliver Indigo plant, or to produce manufacture, provide or deliver any other article of commerce, in consideration of advance made, ...	Shall be charged on the amount advanced at the rate of Bonds or other obligations for the payment of money payable at a period exceeding three months after date.	
LEASES. Any lease made in perpetuity, or for a term of years, or period determinable, with one or more lives, or otherwise contingent, in consideration of a sum of money paid in the way of premium, fine, or the like, if without rent, ...	The same duty as for a conveyance or sale for a sum of the amount of such consideration.	
Any lease of lands, houses, or other real property, at a yearly rent, without any payment of any sum of money, by way of fine or premium.		
Where the yearly rent shall exceed twelve Rupees, but shall not exceed . . . . 24 Rupees,	0	8
Exceeding 24 Rs., but not exceeding 50 „	0	12
„ 50 „ ... Ditto ... 100 „	1	0
„ 100 „ ... Ditto ... 250 „	2	0
„ 250 „ ... Ditto ... 500 „	4	0
„ 500 „ ... Ditto ... 1000 „	8	0
„ 1000 „ ... Ditto ... 2000 „	12	0
„ 2000 „ ... Ditto ... 4000 „	16	0
„ 4000 „ ... Ditto ... 6000 „	20	0
„ 6000 „ ... Ditto ... 10000 „	32	0
„ 10000 „ ... Ditto ... 50000 „	64	0
Above 50000 „	80	0

Any

	Sa. Rs.	A.
Any lease of lands, houses, or other real property stipulating for a yearly rent, and granted in consideration of a fine or premium, ...	Shall be charged with both ad valorem duties above provided.	
The counter part of any lease, charged with a duty exceeding eight Rupees, shall likewise be executed on paper, vellum, or parchment, bearing a stamp of . . .	4	0

EXEMPTIONS.

All leases, where the annual rent shall not exceed twelve Rupees.

All leases or pottahs given by authority of Government, or of the Board of Revenue.

LETTERS, or Powers of Attorney, or Commission or Factory in the nature thereof.

Powers to perform any one special, that is to say, particular act, or the acts connected with one particular suit, case or transaction, or sundry acts to be done, after a manner specified in the instrument, ...	2	0
General, ...	4	0

EXEMPTIONS.

Wukalutnamahs executed to regular pleaders of the Sudder Dewanny Adawlut, or any of the Subordinate Courts of Judicature, authorizing them to prosecute or defend suits therein pending,

	Sa. Rs.	A.	
pending, or to present, or make any miscellaneous petition, application, or motion to the Court, which are to be charged as prescribed in Regulation I. 1814.			
LETTERS OF LICENSE, from Creditors to Debtors, . . .	8	0	
MORTGAGES, any deed of mortgage, or conditional sale, with or without possession given of any lands, estate, or property, real or personal, intended as a security for money due or to be lent thereupon, also any deed or contract accompanied with a deposit of title deeds to any property, where the same may be made as a security for payment of money due or lent at the time, ...			Shall be charged after the same manner and at the same rates, as if in lieu of such deed of mortgage, or the like, a Bond had been taken for the sum due or lent at the time.
DEEDS OF MORTGAGE, or the like, given as security for the transfer of Government Securities, or for the payment of an Annuity, for a fixed period, or the delivery at a future date of any matter or thing capable of being valued,			Shall be charged at the rate of the total amount assured or of the bonâfide value.
DEEDS OF MORTGAGE given for the security of Annuities for an indefinite period, such as Life Annuities, and the like,			Shall be charged at the rate of ten times the annual payment.
Where the total amount secured by such mortgage is unlimited, ...	150	0	
Where it may be stipulated that the amount secured by such mortgage shall not exceed a certain sum, . . .			At the rate of such limitation.

Note.

	Sa. Rs.	A.
Note.—Where a Bond may have been already taken for the amount secured, or where, from any other cause, the mortgage shall act merely as collateral security to some other transaction already charged with the advalorem duty thereupon, the same being specified in the body of the deed of mortgage, ...	8	0
Likewise in case of there being more deeds than one required to execute the mortgage in the manner desired by the parties, the principal deed only shall be charged with the advalorem duty, and all other deeds connected with the same transaction, ...		
Acknowledgements, or Promissory Notes, granted to the Treasurer, or other Officer of the Bank of Bengal, on account of the Bank, or to any private Banker or Agent for Loans or advances made on the Deposit of Government Securities, Bullion, Plates, Jewels, or other Goods, and payable within three months after date, shall be charged as Promissory Notes. If payable at a date exceeding three months, shall be charged as deeds of mortgage.		
PARTITION. Any deed of partition of real or personal property, adjusted by mutual agreement amongst co-heirs, coparceners, or the like, ...	8	0
And if any sum or sums of money shall be paid or agreed to be paid for equality of partition, ...	The principal deed stipulating for such payment, shall be charged with the advalorem duty prescribed for a conveyance or sale for an equal sum.	

POLICY

	Sa. Rs.	A.
POLICY OF ASSURANCE, or Insurance, or other Instrument by whatever name the same shall be called, whereby an Insurance shall be made upon any life or lives or upon an event depending upon any life or lives.		
Where the sum ensured shall not exceed Sa. Rs. 5000	4	0
Exceeding 5000 not exceeding, ... „ 10000	8	0
„ 10000 ... Ditto ..... „ 20000	12	0
„ 20000 ... Ditto ..... „ 50000	16	0
Above „ 50000	20	0
POLICY OF INSURANCE, of any ship, vessel, sloop, lighter, boat, or the like, any goods or property on board, or upon the freight of any ship, vessel, sloop, lighter, boat, or the like, or upon any other interest relating thereto, or upon any voyage, where the premium shall not exceed two per Cent. on the sum insured, if the whole sum insured shall not exceed one thousand Rupees, ...	0	8
If the sum insured exceed one thousand Rupees, then for every one thousand Rupees, and also for any fractional part of one thousand Rupees, whereof the same shall consist, . .	0	8
Where the premium shall exceed two per Cent. on the sum insured, if the whole sum shall not exceed one thousand Rupees,	1	0
If the sum insured exceeds one thousand Rupees, then for every one thousand Rupees, and also for any fractional part of one thousand Rupees, whereof the same shall consist, . .	1	0

PROMISSORY

	Sa. Rs.	A.
PROMISSORY NOTES, payable to the bearer on demand, at sight, or at any stated period, not exceeding three months after date, or ninety days after sight, . .	See Bills of Exchange.	
PROMISSORY NOTES, payable at a period exceeding three months after date, or ninety days after sight, . .	See Bonds.	
PROMISSORY NOTES, for the payment of any sum by instalments, or for the payment of several sums at different dates, so that the whole of the money to be paid, shall be definite and certain, ...	The same duty as would be chargeable on a Bond for the whole amount.	

All receipts for money deposited in any Bank, or in the hands of any Banker or Agent, if the same shall stipulate for the payment of interest upon the money so deposited, or in hand, shall be deemed and taken to be Promissory Notes.

RECEIPTS OR DISCHARGES given for, or upon the payment of any sum of money not exceeding 32 Rupees, . .						0	1
Exceeding	32	Rupees	not exceeding	100	Rupees,	0	2
„	100	„	Ditto	200	„	0	4
„	200	„	Ditto	500	„	0	8
„	500	„	Ditto	1000	„	0	12
„	1000	„	Ditto	2000	„	1	0
„	2000	„	Ditto	3000	„	1	8
„	3000	„	Ditto	5000	„	2	0
„	50a0	„	Ditto	8000	„	2	8
			Above	8000	„	4	0
Also for a receipt in full of all demands, ...						4	0

And

Sa. Rs. A.

And any instrument, note, memorandum, or writing, given upon the payment of money, whereby any money, debt, or demand, or the part thereof therein specified, shall be expressed, or acknowledged to have been paid, settled, or otherwise satisfied, shall be deemed to be a receipt for the amount so declared, to be paid or satisfied.

And if any such instrument or other writing shall contain a general acknowledgment of the settlement of debts, accounts, or other demands, without specifying the amount thereof, such instrument or writing shall be deemed, and taken to be a receipt in full of all demands, and charged accordingly,

And if payment be made by delivery of a bill or bills of exchange, draft or drafts, promissory notes, or the like securities of money, the receipt or acknowledgment given thereupon, shall be deemed to be a receipt within the meaning of this Schedule.

EXEMPTIONS.

Receipts for money paid or received by any Officer of Government on account of Government.

Receipts or Discharges given for the purchase money of any Government Securities, or shares of the Bank of Bengal.

Receipts and Discharges given for money deposited in any Bank, or with any Agent, to be accounted for on demand, provided no interest be stipulated as payable thereon.

If

Sa. Rs. A.

If interest be stipulated, such receipt shall be chargeable as a promissory note.

Receipts or discharges written upon promissory notes, bills of exchange, drafts, or orders for the payment of money duly stamped.

Letters by the Post, acknowledging the arrival of any promissory notes, bills of exchange, or other securities for money.

Receipts or discharges written upon or contained in any bond, mortgage, or other security, or any conveyance, deed, or other instrument duly stamped, acknowledging the receipt of the consideration money therein expressed, or the receipt of any principal money, interest, or annuity thereby secured.

SETTLEMENTS.

Any deed or instrument, whereby any sum or sums of money, or any Government Securities, or other property, real or personal, shall be settled or agreed to be settled upon, or for the benefit of any person or persons in any manner whatsoever, ...

Shall be charged with the advalorem duty chargeable for a Bond for the amount or value settled or agreed to be settled, or in cases in which the value shall be indeterminate, at the rate of one hundred Rupees.

Deeds of gift and dower, whether to take effect on the instant, or at a future period, determinate or indeterminate, shall be charged as deeds of settlement.

EXEMPTIONS.

Wills, testaments, and the like, together with deeds merely declaratory of trust, pursuant to any previous settlement, deed, or will.

GENERAL EXEMPTIONS.

Deeds, instruments, and writings of any kind, in which Government or any Board, Commission, Court or public officer may, in a public capacity, be a party, save and except deeds, instruments, and writings relating to matters of, or belonging to the Commercial Department, shall not be chargeable with any stamp duty.

PRINCIPAL HEADS

OF THE

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TO THE

REGULATIONS

OF

1826.

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DEWANEE PRISONERS.

MINT.

NATIVE OFFICERS.

PROVINCIAL COURTS.

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ALTERATIONS,

ALTERATIONS, MODIFICATIONS, EXTENSIONS, RESCISSIONS, &c.

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Regulation.	*Section.*	*Clause.*		*Regulation.*	*Section.*	*Clause.*
1804 V. 1809 VIII.	——	——	Modified	XI.	II.	
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1812 II.	XV. XVIII.	——	Rescinded	VII.	II.	
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1816 IV.	III.	——	Modified	III.	II.	
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1822 III.	——	——	Partly Modified	IX.	II.	
1824 VII.	XX. XXI.	——	Modified	VIII.	II. III.	

CEDED PROVINCES.	*Regulation.*	*Section.*	*Clause.*
The existing settlement in the Ceded Provinces extended to a further period of five years, ...	II.	II.	*First.*
Zemindars, if unwilling to continue their engagements for a further period of five years, to notify the same to the Collector within a certain period, ..	——	——	*Second.*
On failure, responsible for payment of Revenue for each of the five years, ...	——	——	——
The above not applicable to Goruckpoor and Azimghur, nor to any engagements specifically entered into on account of any year or years, subsequent to the settlement now in force, ...	——	——	*Third.*
Power vested in Collectors to exclude from the operation of the foregoing rules, any Mehals of which a revised settlement may have been made, or be about to be made under Regulation VII. 1822.			

Notice

	Regulation.	Section.	Clause.
Notice to be given by Collectors on such occasions to the Malgoozars, ...	—	—	Fourth.
Zemindars and other Persons who may be continued in their engagements for a further period of five years, subject after the expiration of the lease to the payment of the same Annual Jumma as may be chargeable on account of the last year of their lease, ...	—	III.	
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Rules when Mehals may be let in farm.			
The above not applicable to estates now held Khas.			
Zemindars liable to be excluded for wilfully reducing the cultivation of their lands, ...	—	IV.	
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The Collectors and Deputy Collectors of Customs at Ghazeepore, Benares, Mirzapore, Allahabad, Cawnpore, Furruckabad, Bareilly, Meerut, Agra, and Balasore, to be in future subject to the authority of the Board of Customs at the Presidency,	—	IV.	
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The Law Officers of the Provincial, Zillah, and City Courts to be hereafter appointed by the Governor General in Council, ...	—	IV.	*Third.*
Rule to be observed on the removal, death, or resignation of a Law Officer, ...	—	—	*Second.*
No Person to be appointed a Law Officer who shall not have obtained a Certificate of qualification, ...	—	V.	*First.*
Annual Examination of Candidates for the Situation of Law Officer to be held before a Committee, ...	—	—	*Second.*
Persons who may not have previously obtained a Certificate of qualification, how to be examined, ...	—	—	*Third.*
The Committee to report the result of their Examinations and grant Certificates to Candidates who may be duly qualified, ...	—	—	*Fourth.*
A Native Student in any of the Public Institutions under this Presidency, who shall have received a Certificate of qualification, shall be admitted to practice as a Vakeel in any of the Zillah and City Courts, on application, unless strong objections exist to his admission.			
Proviso, ...	—	VI.	
PROVINCIAL COURTS.			
The number of Judges in each of the Provincial Courts of Appeal and Circuit, to be augmented when deemed necessary, ...	I.	II.	*Second.*
SALT.			
The Provisions of Section L. Regulation X, 1819, applicable to the District of Gorruckpore, and to any other Districts adjoining the Province of Behar,	X.	II.	
The manufacture of Noon Chey, or any other description of Saline substance in the Provinces of Bengal, Behar, and Orissa, shall be considered to be a violation of the Rules contained in Section XXX. Regulation X. 1819.			
What place shall be held to constitute Salt Works,	—	III.	

	Regulation.	Section.	Clause
Retail Sale of Salt allowed under certain circumstances. Special Rules to be prescribed in such cases. Such Rules to be published, ...	X.	IV.	
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Orders passed by a single member of the Mofussil Commission to have the same force as orders passed by the Commission collectively, ...	——	——	*Second.*
The Mofussil Special Commissioner may refer certain descriptions of cases to arbitration, ...	——	III.	
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Board of Revenue to alter the dies from time to time,	——	——	*Third.*
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Collector to be subject to the orders of the Board of Revenue, ...	——	VI.	*First.*
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Venders and Distributors of Stamps how to be appointed, ...	——	——	*Third.*
Venders to be furnished with Licenses, ...	——	——	*Fourth.*
No Person shall publicly sell Stamps without License or special authority from the Board of Revenue.			
Penalty for Breach of this rule. But Persons purchasing Stamp Paper, may transfer the same.			
Under what conditions.			
Penalty for purchase or sale of Stamp Paper at a value less than the amount of the duty impressed on the same, ...	——	——	*Fifth.*

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	Regulation.	Section.	Clause.
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The Superintendent not to Stamp any Paper or the like on account of any Individual without first requiring the receipt of Collector for the amount, ...	—	—	*Second.*
Forms to be observed on the issue of Stamps under the above Clauses, ...	—	—	*Third.*
In what case a discount may be allowed by Collector. At what rate. How to be brought to account, ...	—	—	*Fourth.*
Licensed Venders may purchase Stamps, under what conditions, ...	—	—	*Fifth.*
Penalty on Superintendent for Stamping Paper or the like on account of Individuals without Certificate from Collector. Or other sufficient authority.			
Penalty on Collector for granting Certificate before duty is paid, ...	—	VIII.	*First.*
Penalty on Native Officer or other person causing or procuring Stamps to be impressed, or Certificate granted irregularly, ...	—	—	*Second.*
Rules for Venders and Distributors, ...	—	IX.	*First.*
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Rules to be observed by them. Board may require further engagements, ...	—	—	*Third.*
Licenses and Schedule Stamp Duties to be stuck up in Venders' Shops, ...	—	—	*Fourth.*
Accounts to be kept by Venders and produced to Collector when required. Money received by Venders to be regularly accounted for. Accounts and Stamps to be produced for inspection when required, ...	—	—	*Fifth.*
Penalty for breach of the above rules, ...	—	—	*Sixth.*
Venders to realize duty before delivering Stamp, ...	—	—	*Seventh*
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Venders to endorse the date of sale and delivery of Stamps sold by them, ...	—	—	*Ninth.*
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Penalty

	Regulation.	Section.	Clause.
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On removal or resignation of Venders, ...			
Money, Paper, and Writings to be delivered to the Collector, ...	—	—	*Fifteenth.*
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Cases in which Sureties may be called on, ...	—	—	*Seventeenth*
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Also soiled or spoiled Stamps, ...	—	—	*Second.*
Restriction of above provision to cases in which the Stamps destroyed or spoiled shall amount to or exceed ten rupees.			
Limitation as to the time within which application is to be made, ...	—	—	*Third.*
Penalty for employing paper, &c. not bearing prescribed Stamp, ...	—	XI.	*First.*
Holders of Instruments written on unstamped Paper, on what condition to get them Stamped.			
If within thirty days.			
If after thirty days, ...	—	—	*Second.*
Penalty in case of the employment of Paper, &c. Stamped with too low a Stamp, ...	—	—	*Third.*
Provision for case of accident or inadvertence, ...	—	—	*Fourth.*
Provision for the case of Instruments being written on Paper, &c. with a forged Stamp, ...	—	—	*Fifth.*
Penalty for filing or recording Instruments not bearing the prescribed Stamps, ...	—	XII.	*First.*
Penalty for filing Papers, &c. not duly endorsed by a Vender or distributor of Stamps, ...	—	—	*Second.*
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ZILLAHS.

The Pergunnah of Goberdhun annexed to Agra and the

	Regulation.	Section.	Clause.
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What Police Thannas of Allahabad and Cawnpore to constitute a distinct Civil and Criminal Jurisdiction to be denominated the Zillah of Futtehpore, ...	VI.	II.	*First.*
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Futtehpore Zillah to be subject to the Provincial Court of Benares, ...	——	III.	

TITLES

OF THE

REGULATIONS,

PASSED IN THE YEAR

1827.

REGULATION I.

A REGULATION *for rescinding Regulation I.* 1796, *and providing a special form of Trial, for the Mountaineers of Bhaugulpore, also for investing the Magistrate of Bhaugulpore with Summary Powers, for the adjustment of certain Civil Claims.—Passed by the Vice President in Council, on the 8th March,* 1827.

REGULATION II.

A REGULATION *to legalize certain criminal trials, held in the Division of Bareilly.—Passed by the Vice President in Council, on the 17th May,* 1827.

REGULATION III.

A REGULATION *for modifying and amending the Rules in force, relative to the Law Officers and Ministerial Native Officers*

Officers of the Courts of Judicature, who may be guilty of Corruption or Extortion.—Passed by the Governor General in Council, on the 1st November, 1827.

REGULATION IV.

A REGULATION *for extending, in special cases, the powers of Sudder Aumeens, in the Trial and Decision of Civil Suits.—Passed by the Governor General in Council, on the 27th December,* 1827.

REGULATION V.

A REGULATION *for modifying the rules at present in force for the management of Estates, under attachment by orders of the Courts of Justice in certain cases.—Passed by the Governor General in Council, on the 27th December,* 1827.

A. D. 1827. REGULATION I.

A REGULATION *for rescinding Regulation I. 1796, and providing a special form of trial, for the Mountaineers of Bhaugulpore, also for investing the Magistrate of Bhaugulpore with Summary Powers, for the adjustment of certain Civil Claims. Passed by the Vice President in Council, on the 8th March* 1827; *corresponding with the 25th Phaugoon* 1233 *Bengal Era; the 25th Phaugoon* 1234 *Fussily; the 27th Phaugoon* 1234 *Willaity; the 10th Phaugoon* 1883 *Sumbut; and the 9th Shawan* 1242 *Higeree.*

THE considerations which originally suggested the expediency of constituting a separate tribunal, composed of Hill Chiefs, for the trial of crimes and misdemeanors, committed by individuals belonging to the Hill Tribes, appear to be no longer applicable to the existing state of things, and it has been deemed expedient to assimilate the forms and rules, for the administration Preamble.

administration of criminal justice, between the inhabitants of the Hills, and those of the Plains, and in lieu of the present imperfect system, to introduce among them the rules contained in the general Code of Regulations, subject only to the distinction, that the Futwa, or opinion as to the guilt, or innocence of a person under trial before the Court of Circuit, or as to the law applicable thereto, shall be declared by assessors of their own race, instead of being recorded by the Mahomedan Law Officer of the Court. It has further been deemed expedient, to invest the Magistrate of Zillah Bhaugulpore, with summary powers, with a view to the speedy adjustment of particular claims of frequent recurrence among that class of people, and to encourage, on their part, a resort to the constituted authority for the redress of their civil grievances; the following Rules have accordingly been enacted by the Vice President in Council, to be in force from the period of their promulgation.

Regulation I. 1796, rescinded—and the people of the Hills of Bhaugulpore, to be amenable to the jurisdiction of the Criminal Courts, and subject to the ordinary system of Police, in like manner as the inhabitants of the other territories. In lieu of the Mahomedan Law Officers of the Court, a Committee of Hill Manjees shall sit as Assessors on the trial of any Natives of the Hills of Bhaugulpore.

II. *First.* Regulation I. 1796, is hereby rescinded, and the inhabitants of the Hills in the district of Bhaugulpore, shall be considered, to all intents and purposes, amenable to the jurisdiction of the Criminal Courts, and subject to the ordinary system of Police, in like manner as the inhabitants of the other territories immediately dependent upon the Presidency of Fort William. Provided, however, that in all cases, where it may be prescribed by the existing Regulations, that the Mahomedan Law Officer of the Court conducting a trial, shall declare by a written Futwa, his opinion as to the guilt, or innocence of a party under trial, or the law as applicable to the case, the provisions of the said Regulation shall not apply to any case in which a Native of the

the Hills of Bhaugulpore, may be under trial. But in lieu of such Law Officer, a Committee of Hill Manjees, not being less than three in number, shall sit as assessors on the trial, and declare their opinion thereon, according to the laws and customs of the Hills, subject to the approval and confirmation of the Judge of Circuit conducting the trial, in the manner provided by the existing rules in regard to the Futwas of Mahomedan Law Officers. Provided further that in cases of the above nature referred to the Nizamut Adawlut, that Court shall pass sentence, or otherwise dispose of a trial so referred, according as to their judgment shall seem best, without referring the same to the Law Officers of the Court, and the concurring opinions of two Judges of the Nizamut Adawlut shall suffice for the disposal of any such case, and for the issue of any sentence awarded thereon.

The Nizamut Adawlut how to act in cases of trials that may be referred to them.

Second. The Magistrate of the district shall keep a Register of Manjees eligible to the duty referred to in the preceding clause of this Section, and on each occasion of a Sessions of Jail delivery, when there may be individuals of the Hill race for trial, he shall summon a certain number of Manjees, not being less than twelve to attend the Sessions, and any three or more of these selected by ballot or otherwise, as the Judge on Circuit may deem most proper and convenient, shall be competent to sit on the trial in the manner above described: Provided, however, that any prisoner for trial shall be competent to challenge and object to any one, or to all of the three or more first chosen, and in that case, a second set shall be similarly provided, who shall not be liable to challenge, except upon good

The Magistrate to keep a Register of Manjees eligible to attend the Sessions, and how to act when individuals of the Hill race are to be tried before the Judge on Circuit.

Prisoner shall be competent to challenge any of the first-chosen Assessors.

good ground shewn to the satisfaction of the Judge holding the trial.

The Magistrate of Bhaugulpore to try summarily and adjudge claims for Money or personal property, where the value do not exceed one hundred Rupees, and the cause of action may not be of more than one year's standing.

III. *First.* The Magistrate of Bhaugulpore is hereby authorized to try summarily, and adjudge all claims for money or personal property arising between the Hill people, residing within the limits of the Hill divisions, provided the amount or value of the same do not exceed one hundred Rupees, and provided the cause of action shall not have been of more than one year's standing.

Also to try and adjudge claims regarding the situation of Manjee, and the right of possession in any Hills.

Second. Under the same limitation of time, the Magistrate is likewise hereby authorized to try and adjudge all claims regarding the situation of Manjee, and the right of possession in any hills, and likewise any disputes respecting the limits of the same.

Likewise to decide summarily claims for money which may arise in the Bhaugulpore district, between the Hill people, and the inhabitants of the low lands.

Third. The Magistrate is further hereby authorized to decide summarily on all claims for money, and personal property (not exceeding in amount or value the sum of one hundred Rupees) which may arise in the Bhaugulpore district (subject to the above specified limitation in point of time) between the Hill people, and the inhabitants of the low lands.

The rules of process and forms of proceeding to be observed by the Magistrate in cases of assault and the like, and the use of Stamp Paper.

Fourth. In the discharge of the above duties, the Magistrate shall observe the rules of process and forms of proceeding prescribed and practised in the investigation and decision of cases of assault and the like, all petitions connected with cases cognizable under the rules of this Section, shall be written on

paper

paper bearing the usual stamp for petitions, presented in the Magistrate's Court, and in the summoning and examination of witnesses as well as in all cases of resistance, contempt, or evasion of process, during the investigation of the cases in question, the provisions of the existing Regulations applicable to cases arising in the Court of the Magistrate shall apply and regulate the course of proceeding. Provided, however, that upon award being made by the Magistrate adjudging any sum to be due, or determining the right of any party in a Hill tenure or other interest or possession, the award shall take effect, and be executed as a decree of a Civil Court, and the final proceeding of the Magistrate in the case shall similarly determine in what manner and by whom the costs, if any, shall be defrayed.

The award of the Magistrate how to take effect and be executed, and costs defrayed.

Fifth. It shall be competent to the Magistrate, whenever in a case of doubt, or for any other reason he may so judge fit, to refer a claim brought before him under the rules of this Section, to the arbitration of any given number of Hill Chiefs he may deem proper to appoint, not being less than three.

In cases of doubt, claims may be referred by the Magistrate to arbitration to the Hill Chiefs.

Sixth. Any party deeming himself aggrieved by the award of a Magistrate passed under the preceding rules of this Section shall be competent to bring the matter by petition, bearing the usual stamp for petitions presented to the Court of Circuit, before the Judge of Circuit holding the next ensuing Sessions of Jail delivery for the district. The Judge so holding the Circuit shall, on receipt of such petition, call for the papers and proceedings, and hold such further investigation as he may deem necessary to satisfy himself as to the merits of the award made by the Magistrate.

Appeal from the Magistrate's award may be presented in a petition to the Judge of Circuit, bearing the usual stamp.

The Judge of Circuit how to act on the petition.

Magistrate. Should he deem the same erroneous, or should the proceedings of the Magistrate be found irregular or improper in any respect, a report of the case, with the whole proceedings annexed, shall be submitted to the Nizamut Adawlut, who shall be competent to reverse, alter, or amend, the award in any manner that may be deemed proper, and to issue any orders upon the subject that may appear expedient.

Power of the Nizamut Adawlut to reverse, alter, or amend the award.

Seventh. It shall be the duty of the Magistrate to submit Monthly Statements to the Sudder Dewanny Adawlut of the number of claims instituted and disposed of by him under this Section.

The Magistrate to submit to the Sudder Dewanny Adawlut Monthly Statements of the number of claims instituted and disposed of by him.

IV. The provisions of the above Section shall not be held applicable to the Pergunnah of Bheel Putta, and the inhabitants of that Pergunnah shall be considered subject to the rules contained in the General Code, both in matters of Civil and Criminal Jurisdiction.

The above rules not applicable to the Pergunnah of Bheel Putta, the inhabitants of that Pergunnah subject to the General Code of Regulations.

A. D. 1827. REGULATION II.

A REGULATION *to legalize certain criminal trials, held in the Division of Bareilly.—Passed by the Vice President in Council, on the* 17*th May* 1827, *corresponding with the 5th Jeyte* 1234 *Bengal Era; the 6th Jeyte* 1234 *Fusly; the 6th Jeyte* 1234 *Willaity; the 7th Jeyte* 1884 *Sumbut; and the 20th Shawal* 1242 *Higeree.*

PREAMBLE.

WHEREAS the Judges of Circuit for the Division of Bareilly, in discharging the duties of the Circuit for the Sessions of the years 1824, 1825 and 1826, did, without the authority of Government or the Nizamut Adawlut, as required by the Provisions of Regulation VIII. 1822, try and decide sundry cases of the Calendars of Boolundshuher, Mozuffernugger, and Nugeena, at the stations of Meerut, Moradabad, and Alligurh; and whereas to quash those trials, and direct a re-trial of the numerous acquitted and convicted Prisoners, would be

be attended with obvious and heavy inconvenience to the Prosecutors, Witnesses, and all other Persons concerned, the Vice President in Council has enacted the following Regulation.

The trials illegally held are hereby legalized.

II. All the trials adverted to in the Preamble of this Regulation, whether they may have terminated in the acquittal of the Prisoners, or their punishment, without reference to the Nizamut Adawlut, or in a reference of the case to the Nizamut Adawlut, or in a postponement of the trial to another Session, shall be held, and are hereby declared, to be in every respect, and to all intents and purposes, as good and valid trials, as they would have been, had they been held in established course, at the stations where the Prisoners were committed, or at the stations where they were actually held with the sanction required by Regulation VIII. 1822.

A. D. 1827. REGULATION III.

A REGULATION *for modifying and amending the Rules in force, relative to the Law. Officers and Ministerial Native Officers of the Courts of Judicature, who may be guilty of Corruption or Extortion:—Passed by the Governor General in Council on the* 1*st November*, 1827, *corresponding with the* 17*th Kautick* 1234 *Bengal Era; the* 27*th Kautick* 1235 *Fusly; the* 18*th Kautick* 1235 *Willaity; the* 13*th Kautick* 1884 *Sumbut; and the* 10*th Rubecussance* 1243 *Higeree.*

WHEREAS, it has been deemed expedient to modify and amend the Rules adverted to in the Title of this Regulation, the following Rules have been enacted to be in force, as soon as promulgated, throughout the Provinces dependent on the Presidency of Fort William. PREAMBLE

II. Clause First, Section VIII. Regulation XII. 1793, Clause Eight, Section IX. Regulation XIII. 1793, (extended Former Rules modified.

to

to Benares by Regulations XI. and XII. 1795, and re-enacted for the Upper Provinces, by Regulations XI. and XII. 1803,) and Clause Second, Section VI. Regulation XVIII. 1817, are declared subject to the following modifications.

No fine to be awarded in the Civil Court, for the offence of corruption or extortion.

III. Whenever any Native Ministerial Officer, of any Civil or Criminal Court, or any Hindoo or Mahomedan Law Officer, against whom an action may have been brought in the Civil Court, to recover money or property, extorted or corruptly taken, shall be proved to have received or taken the whole, or any part of the money or property which he may be charged with having received or taken, the Court is to adjudge him to refund the amount of the money, or value of the property, which he may be proved to have so received or taken, with interest, when it may be a case of money taken, at such rate not exceeding Twelve per Cent. per Annum, as to the Court may appear equitable, and to pay full costs to the Plaintiff in the suit. The Court shall not, in such case, be competent to award any fine against the Defendant.

Criminal prosecution not to depend on the Civil action, or its result.

IV. Any Law Officer or Ministerial Native Officer, charged with corruption or extortion, against whom there may appear to be sufficient grounds for a criminal prosecution, shall be liable to such prosecution, as laid down in Clause Second, Section VI. Regulation XVIII. 1817, whether the civil action provided for in Section III. of this Regulation, shall have been brought or not, and whatever, if brought, may have been its result.

V. From

V. From and after the date of this Regulation, it shall not be necessary for any party, from whom money or property may have been corruptly taken or extorted, to institute a civil action for the recovery thereof; but on proof of the charge, in a criminal prosecution, for those offences, a certified copy of the conviction by a Court of Circuit, or the Nizamut Adawlut, shall be received as sufficient authority for enforcing the refund of the amount or value so taken with interest, on application to that effect being preferred by the aggrieved party, to the Civil Court, on the Stamp paper prescribed for miscellaneous petitions.

Record of Criminal conviction sufficient for compelling the refund of property corruptly taken or extorted.

VI. Whenever it may be established by the process described in Section VII. Regulation XVIII. 1817, that any Native Officer attached to a Civil or Criminal Court, may have embezzled any money or other property, duly paid into or deposited in the Court to which he is attached; or regularly received by him in his official capacity, in execution of a decree, or on account of a deposit, or on any other account whatever, it shall be the duty of the European controlling authority to refund to the party or parties, whose property may have been so embezzled, the amount or value of the embezzlement, from the Public Treasury, in the first instance, without reference to the solvency or otherwise of the defaulter or his surety; the Government reserving to itself the right of adopting such measures, for the recovery of the money so refunded, as may be deemed expedient, with reference to the nature and circumstances of each case.

Amount of embezzlement to be paid, in the first instance, from the Public Treasury.

A. D. 1827. REGULATION IV.

A REGULATION *for extending, in special cases, the powers of Sudder Aumeens in the Trial and Decision of Civil Suits.—Passed by the Governor General in Council on the 27th December* 1827, *corresponding with the* 13*th Poose* 1234 *Bengal Era; the* 24*th Poose* 1235 *Fusly; the* 14*th Poose* 1235 *Willaity; the* 10*th Poose* 1884 *Sumbut; and the* 7*th Jumadee-us Sanee* 1243 *Higeree.*

PREAMBLE.

WHEREAS the heavy accumulation of Civil Suits in many of the Zillah and City Courts, renders it essential to the Administration of Justice that the powers at present exercised by the Sudder Aumeens should be augmented. And whereas it has been deemed expedient to rescind such parts of the Regulations as declare, that no suit shall be referred for Trial and Decision to a Sudder Aumeen in which a British European subject, or an European Foreigner, or an American, may be a party; the following Rules have been enacted to be in force from the date of their promulgation, throughout the Territories subject to the Presidency of Fort William.

II. *First.*

The Sudder Dewanny Adawlut, competent to invest Sudder Aumeens with powers to try original suits, in which the amount of claim may not exceed a thousand Rupees.

II. *First.* It shall be competent to the Sudder Dewanny Adawlut to invest any person, exercising the functions of a Sudder Aumeen at the Station where the Zillah or City Court is held, with the power to try and determine original suits, in which the value or amount of the claim may not exceed One Thousand Rupees.

Parts of Regulations prohibiting Judges from referring to the Sudder Aumeens any suits in which a British European Subject, or an European Foreigner, or an American may be a party, rescinded.

Second. Such parts of Section LXVIII. Regulation XXIII. 1814, Clause First, Section VII. Regulation XXIV. 1814, Clause Second, Section V. Regulation II. 1821, or of any other Regulation, as prohibit the Zillah and City Judges from referring to a Sudder Aumeen any suit in which a British European subject, or an European Foreigner, or an American may be a party, are hereby rescinded.

Judges may refer to a Sudder Aumeen, suits in which the claim may not exceed a thousand Rupees.

Third. In addition to the powers vested in the Sudder Aumeens under the provisions of Section LXVIII. Regulation XXIII. 1814, and Clause Second, Section VII. Regulation XXIV. 1814, and Section V. Regulation II. 1821, the Zillah and City Judges are hereby authorized to refer to a Sudder Aumeen duly empowered, under the first Clause of this Section, any depending Civil Suits in which the value or amount of the claim, calculated according to the provisions of Section XIV. Regulation I. 1814, Section XXIII. Regulation XXVI. 1814, and Section V, Regulation XIX. 1817, may not exceed One Thousand Rupees.

Suits referred to a Sudder Aumeen under the preceding

Fourth. Suits referred to a Sudder Aumeen under the preceding clause, in which the value or amount of the claim may

may exceed Five Hundred Rupees, shall be received, tried, and determined in conformity with the Provisions of Regulation XXIII. 1814; and shall be open to appeal or not to the Zillah or City Judge, according to the Rules prescribed in that Regulation.

Clause, shall be tried under the provisions of Regulation XXIII. 1814.

Fifth. Appeals from the decisions of Sudder Aumeens in which the value or amount of the claim may exceed Five Hundred Rupees shall not be referred to a Register, and the decision of the Zillah or City Judge, on such Appeals, shall be final, unless the Provincial Court shall see sufficient reason for admitting a second or special Appeal, under the provisions contained in Section IV. Regulation II. 1825, and the Regulations therein declared applicable to such Appeals.

Appeals from the decision of Sudder Aumeens in cases exceeding five hundred Rupees, shall not be referred to a Register.

III. Section LXI. Regulation XXIII. 1814, authorizing the Provincial Courts to exercise their discretion in diminishing or augmenting the number of Sudder Aumeens, is hereby rescinded. Whenever the Provincial Courts, with reference to the state of the Civil business and other Local circumstances, may hereafter consider the appointment of an additional Sudder Aumeen at any Zillah or City Station desirable, or a reduction in the number of Sudder Aumeens which may have been appointed expedient, they shall report the grounds of their opinion for the consideration and orders of Government.

The Provincial Courts to Report to Government in future, the proposed Appointment of an additional Sudder Aumeen, or a reduction in the number of Sudder Aumeens.

A. D. 1827. REGULATION V.

A REGULATION *for modifying the Rules at present in force for the management of Estates under attachment by orders of the Courts of Justice in certain cases.—Passed by the Governor General in Council on the 27th December 1827, corresponding with the 13th Poose 1234 Bengal Era; the 24th Poose 1235 Fusly; the 14th Poose 1235 Willaity; the 10th Poose 1884 Sumbut; and the 7th Jummadee-us-Sanee 1243 Higeree.*

PREAMBLE.

WHEREAS it is expedient in all cases of the attachment of Landed Property under orders of the Courts of Justice, that the management of the Estate attached should be placed under the superintendence of the Collectors of Land Revenue, the following Rules have been enacted by the Governor General in Council to be in force from the date of their promulgation throughout the Territories immediately subject to the Presidency of Fort William.

II. The

Application of certain Regulations regarding the management of Estates under attachment.

II. The Rules contained in Sections V. and VI. Regulation V. 1799, and Clauses Five and Six, Section XVI. Regulation III. 1803, and Sections XXVI. and XXVII. Regulation V. 1812, and Clause Third, Section V. Regulation VI. 1813, regarding the administration and management of Estates under orders of the Zillah and City Courts, are hereby declared subject to the following modifications.

Rules for the issue of Precept for holding Estates under attachment and for appointing Managers.

III. Whenever the Zillah and City Courts may deem it just and proper, under the provisions of the several Regulations abovementioned, to provide for the administration or management of Landed Property, the Court shall issue a Precept to the Collector of Land Revenue of the District wherein the Estate may be situated, directing him to hold the Estate in attachment, and to appoint a person for the due care and management of the Estate under good and adequate security for the faithful discharge of the trust in a sum proportionate to the extent thereof: provided, however, that if any person holding an interest in the Estate shall be dissatisfied with the selection made by the Collector of the individual to perform the duty in question, or with the conduct of the manager at any time after his appointment, it shall be competent to such person to represent his objections to the Board of Revenue, and the Board will either confirm the manager chosen, or order the Collector to appoint another person, as on consideration of the circumstances of the case may appear reasonable and proper.

IV. The

IV. The Precept of the Zillah or City Court abovementioned shall state specifically the property to be included in the attachment, and the attachment shall not be withdrawn without a further Precept from the Court to that effect.

The Precept shall specifically state the property to be included in the attachment.